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Fall 1977

Robert C. Tucker — Personality and Political Leadership

Hugh Heclo — Political Executives and the Washington Bureaucracy

Robert J. Steamer — Contemporary Supreme Court Directions in Civil Liberties

Robert H. Trice — Congress and the Arab-Israeli Conflict

Jack R. Van Der Slik
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From the Managing Editor:

In this issue . . .

ROBERT C. TUCKER reexamines the connection between personality and political leadership. He foresees an "oncoming crisis of human survival" and questions whether individuals with appropriate leadership traits will emerge to cope with that crisis successfully.

HUGH HECLO analyzes the resources, strategies, and tactics by which political executives appointed by presidents try to exercise policy control over the Washington career bureaucracy.

ROBERT J. STEAMER argues that the Burger Court, although changing judicial directions in some instances, is closely tied to the past and that on balance it is more like, than unlike the Warren Court.

ROBERT H. TRICE reviews the nature and strength of support in the Senate for aid to Israel for the period 1970 to 1973. He finds that the most plausible factors accounting for such support—ideological liberalism, distribution of the Jewish population among the states, and financial support to individual senators from Jewish groups—in fact are related only weakly to voting patterns.

JACK R. VAN DER SLIK and THOMAS C. STENGER explore the characteristics of private citizens who appear as witnesses before legislative committees of the House of Representatives. They find that citizen witnesses can get the opportunity to testify with relative ease and that they are favorably impressed with the professionalism and interest shown to them by members of Congress.

JOSEPH ROTHSCHILD discusses historical and continuing changes in the concept of political legitimacy. He finds the legitimacy of contemporary European regimes, both communist and noncommunist, to be vulnerable and concludes that erosion of those regimes' legitimacy can become a major obstacle to effective governance.

ANTHONY R. DE LUCA traces the evolution and significance of postwar Soviet-American rivalry over the Turkish Straits and the impact this rivalry had upon the formative stages of the Cold War.

DEMETRIOS CARALEY

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Personality and Political Leadership

ROBERT C. TUCKER

Students of society have long been interested in the phenomenon of leadership and puzzled by the problem of why some people emerge as leaders rather than others. This article will approach the problem mainly in terms of political leadership in the contemporary nation-state, ours in particular.

At one time it was generally thought that those who become leaders do so by virtue of their possession in superior degree of certain personal traits—such as stamina, decisiveness, composure—which make it their fate to reach positions of leadership in their organizations or societies. This has been loosely labeled the "great man" theory of leadership.

Social science research in the twentieth century seemed for a while to invalidate it. This research gave rise to what has been called "situationism," or the view that the nature of the group's situation at a given time predetermines what traits are likely to bring a certain individual to the fore as the leader and what traits will impede such an outcome in others. According to situationism, qualities making for leadership success in one set of circumstances, might militate against it in another. For example, it could be argued that Winston Churchill's party was defeated in the British national elections held soon after the end of World War II in Europe because the change from a war situation to one of peacetime made the characteristics of Clement Atlee, the Labour party's leader, more appealing to the electorate than those that had earlier propelled Churchill to power as an ideal war leader for embattled Britain.

The pendulum's swing from the great man theory to situationism was fol-

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lowed by a movement of scholarly opinion to a middle position: the recognition that there *are* personal characteristics which make for successful leadership but that variable group situations accentuate the effectiveness of one or another trait, and their bearers, at a particular time. As a foremost researcher in this field has expressed it, "Strong evidence indicates that different leadership skills and traits are required in different situations. The behaviors and traits enabling a mobster to gain and maintain control over a criminal gang are not the same as those enabling a religious leader to gain and maintain a large following. Yet certain general qualities—such as courage, fortitude and conviction—appear to characterize both."[1]

Defining the Situation

Perhaps the best argument against simple situationism is the fact, generally overlooked by those who have stressed the determining role of group situations, that only in times of extremity, such as war, is the nature of the group's situation self-evident to virtually all its members. At most times the nature of the situation confronting a group is problematic and calls for definition. Consequently, it has a subjective dimension. A central function of leadership is the defining of situations for the group and the devising of policy responses designed to resolve the problem in accordance with the group's interests as perceived by the leaders and others.

Since definitions of the situation and proposed policy responses are rarely unanimous, they often become issues in political debate. For example, the situation created by Hitler's demand in 1938 that the Sudetenland be ceded to Germany was defined in essentially local terms by the British political leader of that time, Neville Chamberlain, and acquiescence to the demand seemed the logical policy response to ensure "peace in our time." Those like Churchill, who perceived and defined the situation differently—as a move which, if not firmly resisted, would be followed by more such demands from the insatiably aggressive German dictator—saw Chamberlain's acquiescent response as the dangerous act of appeasement that it proved to be. In this instance, one's definition of the situation turned largely on a psychological appraisal of the leader who had created it.

If group situations are not self-evident objective realities but subject to definition, we may infer that trained and sophisticated insight, the capacity to judge situations accurately that comes from experience and intellect, are characteristic of an effective leader and are a particularly vital requisite for leadership in the extremely complex world of today. This thesis implicitly calls in question our tendency to attach principal importance to traits of character rather than qualities of mind when considering what we require in a leader. Needless to say, the

[1] Ralph M. Stogdill, *Handbook of Leadership: A Survey of Theory and Research* (New York, 1974), p. 72.

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recent history of the American presidency is not likely to diminish our awareness of the significance of moral character in the nation's highest political leader and others; and it is far from my intention to downgrade integrity, rectitude, and other components of character as qualities to be desired in those entrusted with leadership roles. Still, trained insight needs more emphasis than we have traditionally given it. Although we have not habitually thought of strong intellect as a "must" for political leadership, we should do so.

This point must be qualified, however, with the observation that "character" and "intellect" do not exist in separate compartments of the mind. The "intellect" or "trained insight" requisite for political leadership needs to be accompanied and guided by feeling, which is not to say that it invariably is. It may, for example, be an intellectually perceived fact that large numbers of job-seeking persons in a political community are unable to find work, or that because of inflation some elderly persons must subsist partly on cheap pet food to make ends meet. But without compassion, human sympathy, or emotional identification with these people, a leader's cognitive grasp of the facts will not necessarily cause him or her to *define the situation politically* as one that should be remedied. We may therefore introduce the distinction between humanist and nonhumanist political leadership. Intellect is requisite in either case, but compassionate feeling for people, or the lack of it, will determine the extent to which the leader's knowledge and powers of intellect become, or fail to become, a force for humanist leadership.

Carrying the argument one step further, we must recognize that the feeling by which a political leader's intellect is guided (if it is so guided) need not necessarily be benevolent. Twentieth-century history has familiarized us frequently with the phenomenon of the inhumane, even diabolic political leader, of whom the two archetypal examples have been Hitler and Stalin. In leaders of this kind, extremely acute intellectual powers come under the sway of ungovernably intense malevolent feeling against entire large groups of the country's population and people beyond its borders. The sources of the malevolent feeling lie in a very complex nexus of culture, ideology, and personal biography. The consequences, as history shows, can be genocidal. So we must add to the distinction between humanist and nonhumanist political leadership the further distinction between both kinds, on the one hand, and antihumanist leadership, on the other hand.

Creative Leadership

This brings us to the large theme of creativity in leadership. A crucial qualification for creative leadership is the capacity to perceive in group situations what makes them somewhat different from previously experienced ones which they may greatly resemble. Without such an ability, a leader is likely to rely on the repetition of policy responses that have proved successful in the past but may

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not be so in the present because they fail to take account of the elements of novelty in the situation currently confronting the political community.

Creativity of political and other forms of leadership is a precious asset and a relatively rare one. The reason, basically, is that we all form mental stereotypes as a result of past experience, especially the experience of memorable situations that occur in formative times in our own lives and that of our generation. These stereotypes very often determine our perceptions of new situations as they arise, inhibiting creative leadership. An example from recent political history is the failure of American political leadership in Indochina. It was partly due to the tendency of some high officials to perceive the Vietnamese situation according to the stereotype that they had formed as a result of Hitler's aggressions in the pre-World War II period and Stalin's in the years immediately following that war. Memories of Munich and of the Berlin blockade kept some influential political minds from perceiving the fundamentally local character of the Vietnamese civil war, and the futility of supporting a regime in the south which lacked the national sources of support to make it viable in the long run.

To cite a different example, one of the highly creative political minds of this century was that of Lenin, a leader of a revolutionary political party. What made him so, more than anything else, was his extraordinary capacity to grasp with great rapidity the unprecedented elements of new situations as they developed and to devise policy responses geared to the party's revolutionary aims. The classic case was his initially heterodox definition of Russia's situation after the February Revolution of 1917 as ripe for a second revolution, which turned out to be accurate. Partly as a result of this act of revolutionary political leadership, some of his party colleagues later set aside their Marxist convictions about historical causation to the extent of crediting to Lenin's personal leadership the October Revolution of 1917 which brought the Bolsheviks to power.

In leadership, as in other fields, high creativity is not something that one can acquire by hard work and preparation alone. At bottom it is a gift bestowed on some individuals by nature and life circumstances in combination. So, although most political communities have never been more in need of creative leadership than now, the phenomenon remains a rather rare one, fortuitous in appearance, and usually a stroke of luck for the community that obtains it. Experience, while necessary in order to enable creativity to show itself, is no guarantee that it will do so. An inner security, the freedom from self-absorption which enables a leader to keep his mind sensitively attuned to what is happening outside himself and to empathize with the feelings of those who make up the political community, is a necessary prerequisite for highly creative leadership although not a sufficient one. Ironically, inner security and freedom from egocentricity have seemed to some prominent political scientists to be least likely qualities of those who actively seek roles of power in modern life, whether in politics, business, or the professions. "Power is expected to overcome low estimates of the self," runs Harold Lasswell's well-known hypothesis

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about "political man" as power seeker.[2] That there are cases in point is not in doubt. But we may question whether such personal insecurity is generally characteristic of aspirants to leadership and whether the very notion of "political man" as a definable personality type is not oblivious of the infinite variety of character encountered among those who seek and attain leadership.

Increasingly in our century, political leaders have turned to the experts, academics included, as a source of the trained insight that they recognize as a requisite for effective and especially for creative leadership. Because of the world's growing complexity and the development of whole areas of pertinent scientific and other expertise, this trend has a certain inevitability. Not even an intellectual prodigy in power could possibly command in person all the specialized understanding required for leadership in the many fields of internal and external policy. But the rise of the expert as a key participant in the process of political leadership is a trend that for all its naturalness carries certain problems and potential dangers.

Experience warns against overreliance on the expert as a source of authoritative wisdom and creativity in the defining of situations for the political community. In particular, experts who enter government out of academic life may prove a force for muddled leadership. Their prior immersion in history and theory may imprison academic minds in stereotypes that inhibit insight into the novelty of situations as they arise. Hence long-time practitioners with a scholarly bent may be more valuable, or less risky, as advisors to political leaders than lifelong scholars with a zest for applying their expertise in governmental practice. The worst danger is for a leader to fall under the spell of a single specialist-advisor whose combination of competence up to a point and self-confidence may create an illusion of infallibility. But if a leader avoids this situation and makes it a practice to use multiple sources of expertise, which inevitably means conflicting judgments and advice, the leader's own trained insight becomes crucial in the choice of which advice to follow and which advisors to employ. There is, then, no substitute for the possession by the leaders themselves of relevant knowledge, excellent reasoning powers, and good intuitive judgment of people and situations.

Charisma and Leader Cults

We have argued that situations per se do not adequately explain why persons with certain characteristics become leaders, since these very situations are in a sense constituted by the human beings who define them and then act in ways they believe will be appropriate to them. But having said this, we can safely recognize that group situations are also, in some sense, objective realities and that they do favor the rise of certain potenial leader-personalities and militate against the rise of others. The variabiity of group situations casts *some* light

[2] Harold D. Lasswell, *Power and Personality* (New York, 1948), p. 39.

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upon the personal characteristics which make for effective leadership in one situation as distinguished from those which do so in another.

This point is most easily illustrated by considering the kind of leadership that —following Max Weber, who introduced the term—we call "charismatic." Since this word has been vulgarized in the popular press, which often uses it simply as a synonym of radiant charm in a leader, some scholars would like to see it banned from the vocabulary of political science. Others, including the present writer, believe that such a ban would do no good since we would then have to invent some other term to designate the extremely important phenomenon that Weber sought to conceptualize when he wrote about charismatic authority. Moreover, we have only to attend closely to Weber's usage of "charisma" to be clear and discriminating in our own.[3]

In Weber's usage, the possessor of charismatic authority, who may be a religious, political, military, or other kind of leader, is in essence a savior-leader—or one perceived as such. The followers' responsiveness to a savior-leader, or would-be savior-leader, implies that they are in need of being "saved," or in Weber's own terminology that they are people in "distress," which may be material or spiritual or both. A person who comes forward in a distressful situation and presents himself or herself in a convincing way to the sufferers as one who can lead them out of their distress by virtue of special personal characteristics or formula for salvation may arouse their intense loyalty and enthusiastic willingness to take the path the leader is pointing out.

It follows that a given leader may be charismatic at one time (e.g., Churchill for Britons in their darkest hour of World War II), but not at a later period when distress has been alleviated. While there seems to be no one set of personal characteristics that charismatic leaders share as a class, one quality that may be common to them all is a contagious faith and confidence in the community's capacity to overcome, under their leadership, its distress—the kind of confidence conveyed in Franklin D. Roosevelt's statement to Americans that they had nothing to fear but fear itself. Of course, the leader's directions for overcoming distress cover a very wide spectrum: from effective remedies to worthless nostrums and sinister schemes for one group's salvation through another's destruction. Clearly, charismatic leadership carries potential hazards as well as benefits.

At times of great calamity, such as may be caused by war or a natural disaster, an entire political community may be distressed to the point of receptivity to charismatic leadership if it arises. But it may also happen that one part of the community, say a racial minority (or majority), is distress ridden, and another part is not. If the latter is politically dominant, authority may be exercised by noncharismatic leaders who face the problem of whether to give priority to the dominant group's preference for continued stability of life conditions or to the

[3] For a discussion of Weber's view, and the scholarship pertaining to charismatic leadership, see Robert C. Tucker, "The Theory of Charismatic Leadership," *Daedalus*, 97, no. 3 (Summer 1968), 731–756.

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disadvantaged group's urgent need for change that would alleviate its situation. Should the latter course be taken, by a leader whose sympathies go out to the disadvantaged, that leader must show the qualities of an outstanding educator in relation to the group that has elevated him or her to the leader role. The leader must foster understanding of the other group's plight and appeal to the generous instincts of those in comfortable circumstances, their capacity for acting according to the dictates of decency and of long-range self-interest. Should the other road be taken—that of maintaining stability in the dominant group's short-term self-interest—a likely outcome is the emergence from within the distressed group, sooner or later, of charismatic leadership of revolutionary hue with a program of group separatism or national conquest. If the government responds with repressive and terroristic policies, these are not likely to succeed more than temporarily.

Some scholars have suggested that charismatic movements, which made their appearance in religious form early in history, are increasingly anachronistic in our technological civilization and hence fated to disappear. Some, of course, do decline and die out because of their very success in changing the conditions that helped bring them into being. However, like the recently fashionable but now widely questioned theory that our age is seeing the "end of ideology," the notion that charismatic leadership is on the way out has little evidential support and seems dubious. So long as distress has not turned into total despair, its victims will be eagerly receptive to would-be savior-leaders with personalities and programs that promise relief, whether by revolutionary violence or other means. The following questions must then be asked: Are the mass conditions of distress that form the medium in which charismatic movements arise and flourish more likely to spread or contract as time passes? Are political oppression and sociopolitical inequality going to become easier or harder to overcome on a world scale? Does not the very technology that solves certain problems foster the emergence of terribly serious new ones which may cause great distress, such as unchecked population growth, pollution, and the depletion of resources?

One of the manifestations of charisma is the expression of fervent devotion in a cult of the leader's personality. This may happen while the leader is still living or after his death. A possible consequence in present-day conditions is the phenomenon of spurious charisma as an artifact of the modern mass media, particularly in countries with an authoritarian regime and a government-controlled press. The media can create the false appearance of charisma in the absence of the genuine wide-scale adulation which would make it a reality. They can fabricate a pseudo-personality cult. An historic case in point is the pseudo-cult of Stalin which evolved in Soviet Russia during the 1930s. The combination of glory-hungry leaders and state control of the media is a potent source of pseudo-cults of personality.

But countries with representative government and press freedom are also vulnerable to the phenomenon of spurious charisma or at least to the artificial

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inflation of a leader's stature in the public mind, with ensuing harmful consequences. Since a national leader's actions impinge directly and deeply upon the concerns of the people to whose interest in events the mass media minister, the leader is constantly in the limelight of media attention. Considering, further, the pragmatic dictates of party and personal success in a democracy, as reflected for example in the interest of reelection, and the fact that the leader may be served by a high-powered public relations operation whose prime purpose is to project a favorable image, it is easy to see why key leaders in democratic countries often come to appear larger than life. Especially when we add to all this the well-attested tendency of the entourage of aides to reinforce the leader's picture of himself and the world by censoring out discordant facts.

What seems to follow is a further reflection on a theme already introduced above: egocentricity in leadership. One potent antidote to spurious charisma in a democracy is the entrusting of leadership to individuals without illusions of godlike greatness and resulting inner insecurity, the craving for reassuring admiration, and resentful oversensitivity to criticism; individuals who have learned to accept themselves as the imperfect, limited, fallible human beings that they are; individuals who are *not* cases of "political man" as in Lasswell's characterization. If this is so, we citizens of a democracy may well ask a question at this point: How can we learn to discriminate between candidates for leadership whose intense drive for public office springs from egotistic need and those genuinely motivated by the desire to serve, and by care for those whom they would govern? And if these discriminations are beyond our powers, how can we modify our mechanisms of leader selection so as to enlist persons of strong ability whose realism about themselves is evidenced by their lack of consuming ambition for high office?

Leadership and the Crisis of Survival

Let us conclude by considering, partly in the light of what has been said here, what may be some of the personal attributes most needed for effective leadership at the present time, particularly political leadership at the national level in America.

The cardinal requisites are the mental and moral powers to take full measure of the human prospect, to define the situation not in static or short-range terms but in developmental perspective, and then to gain the support of our people for the decades-long effort that will be needed to help surmount the oncoming crisis of human survival. Clearly, the qualities called for are those that would make for humanist and creative leadership of the highest order. It would be creative, for example, in its capacity to transcend many assumptions formed in the past which have or will become less and less valid. Among the latter are the division of policy into "domestic" and "foreign," the idea that national security in the nuclear age is attainable through whatever is the next extension of deterrent power, the assumption that such security is attainable through

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alliance systems, the habit of thinking of political leadership's success or failure in terms of quadrennial periods, and the notion that science itself will somehow see us through by solving our mounting problems.

The definition of the situation just suggested—crisis of survival—flows from the thought of some of the keenest minds of our time in various countries.[4] It is first a crisis of chaos, the fact that man cannot endure indefinitely without evolving the institutional structure of a planetary society. The threatened further proliferation of nuclear weapons technology in a world still organized as a set of theoretically sovereign nation-states and beset by international terrorism is only one, although the most dramatic, manifestation of the danger that continued lack of world order presents to the human future.

The crisis is also one of growth and ecology on a small and finitely endowed planet which cannot sustain indefinite growth of population, production, and pollution, but must be brought into an equilibrium state as a precondition of indefinite human survival. Yet growth goes on. For example, a doubling of the already partially insupportable world population of about 4 billion has been projected for the coming thirty-five years or so. Continued global disunity inhibits the checking of growth, and further growth guarantees aggravation of disunity. A vicious circle of growth and disorder endangers the human future.

There is no clear general appreciation of the situation as a crisis of survival. Sensitive members of the public are troubled by a sense of foreboding. They are aware of a series of very grave problems: at home there is unemployment and inflation; poverty, crime, and delinquency; the utter failure of the penal system; the depletion of energy and other resources; environmental pollution; blighted cities plagued by financial insecurity; discrimination against minorities; grossly inadequate provisions for health care, mass transit, education, and the care of the aged; and the cultural vacuum being experienced by many, especially among the young; abroad there is the persistence of wars and the danger of a nuclear war; the violent breakdown of political communities in different parts of the world; the suppression of ethnic minorities or majorities in some countries; the decline of democracy in some places; chronic hunger or famine; failures of economic development; plus many problems similar to our own domestic troubles.

Although there is widespread awareness of these problems, people in general do not grasp them in their interrelationships and cumulative character; they do not see them as symptoms of an emerging planetary crisis. The so-called population explosion is a misleadingly named phenomenon, for example, because it is not some future event that will occur with a big bang—as many may sup-

[4] Among representative examples are Kenneth E. Boulding, *The Meaning of the Twentieth Century* (New York, 1964); Richard A. Falk, *This Endangered Planet* (New York, 1971), Barry Commoner, *The Closing Circle* (New York, 1971), and the two Club of Rome reports on the limits to growth.

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pose—but one that is going on noiselessly now and making mass death by starvation the inexorable destiny of growing multitudes of our fellow human beings. Because of its very complexity, the crisis has an insidious aspect. The palpability of many of the symptoms does not produce public awareness of the nature of the disease. Books by scientists and intellectuals cannot bring about the needed awareness without the powerful assistance that only inspired political leadership can provide in communicating to people the proportions of the overall problem and the threat it ultimately poses to human existence.

Hence the qualities required now in our leaders are not only those that make for innovative leadership, creative in its capacity to comprehend a situation and to evolve an adequate analysis of it with the aid of the mobilized forces of science and social thought at home and abroad. The leadership required must be, to a degree never before seen, a leadership in edification. This will call for persuasiveness based on the ability to explain on the widest possible scale both the basics of the situation and the dire predictable consequences of continued drift in the face of it. It will call for confidence, the capacity to communicate, along with an awareness of great and growing danger, the hope that we, in league with other awakened peoples and their leaderships, can surmount the crisis and become in the process the masters of our destiny that men and women have long yearned to be but never yet become. It will call for the courage to give the unvarnished facts, which will also often be unpalatable, and summon us to change ingrained ways of thinking and acting, such as our energy profligacy, the tenacious growth mindedness of our corporations and many other institutions, and our habit of living as though the present and growing generations were the last that merit our deep concern. Such leadership cannot succeed solely on the basis of appeals to calculated self-interest. It will also require idealism in the leaders and the millions whom they seek to guide in a protracted politics of nonviolent radical change. If all this is far beyond the bounds of rational hope, so be it. But let no one delude oneself that humans in that case are long for this world—that is, as historical time is reckoned, in centuries.

An alternative mode of American response to the situation—nationally and regionally self-centered, hardheaded if not ruthless, "practical" and "realistic" in the traditional sense—is imaginable. The aim would be to shore up our exceptionally favored position, together with that of some other similarly endowed and like-minded nations, in the midst of spreading chaos, misery, anarchy, violence, and mass death in the rest of the world. It would be geared to the preservation of endurable conditions for as long as possible for people inhabiting lands, who might be able to protect and feed themselves under conditions of advancing planetary disaster. The state would increasingly become a garrison state.

The alternative way of responding would be an unfortunate one for three main reasons. First, the role of the United States in the world scheme of things is so important that our contribution to leadership of a movement on a universal scale to check and reverse man's self-destructive course is indispensable if

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any such movement is to have a serious chance of developing and succeeding. Without our active involvement, the cause is certainly a lost one. Hence the alternative mode of response would be a defeatist one. Second, it would at best gain us a reprieve, a finite extension of our national life span beyond that of less well-equipped and well-situated societies. The ultimate outcome, however, would be no different. Finally, it would mean the forsaking of the revolutionary-universalist values in the American historical heritage.

The dilemma of leadership that this decision poses is not an American one alone: in one way or another it confronts the governments of all nation-states now. Politics in the modern nation-state has always been based on the assumption that "effective leadership" is that which serves the interests of the national political community. Aspirants for power must declare and demonstrate a supreme commitment to these interests in order to convince their constituencies that they are fit for leadership roles. A nationalist orientation remains, therefore, a qualification for success in attaining high office in a world where the very idea of effective leadership on a national scale and for national goals has become or is fast becoming obsolete. How, in the continuing absence of the global political community that remains to be created, can we foresee and foster the advent to power of leaders who will dedicate themselves to supranational goals that include the building of a universal community? How, if such leaders appear, can they gain the requisite popular support for sustained endeavors directed to these goals?

The questions have no easy answer. The dilemma reflected in them is itself an element in the oncoming crisis of human survival.*

* This is a revised version of a paper prepared for a conference on leadership held in Washington, D.C. September 26-27, 1976 under the sponsorship of Time, Inc. I am grateful to Professor Donald W. Light, Jr. for his critical reading of the essay in its original draft and valuable suggestions for its improvement.

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Political Executives and the Washington Bureaucracy

HUGH HECLO

With every new administration, hundreds of new presidential appointees arrive in Washington to "take control of the bureaucracy." Only a few ever appear to succeed, if by success we mean changing government activity in some desired direction. Why do certain political executives do better than others in leading the bureaucracy?

Of course there are many reasons. During the past several years I have attempted to distill those reasons having to do with how public executives themselves choose to act—their statecraft. In a government peopled at the top by hundreds of short-term appointees, there is clearly wide scope for variation in how political executives will choose to act. The consequences of these choices are another matter. Forces inherent in our system of executive politics go far in determining, not how appointees will choose, but whether their choices prove prudent or foolish in coping with other people in government.

Here it is necessary to summarize only the five most important conditions that shape the content of political statecraft in the bureaucracy.

—The distinction in roles between political and higher bureaucratic executives is muddled in Washington, both formally and informally. For inexperienced participants in executive politics it is extraordinarily difficult to know who's who.

—Would-be leaders among political executives are in a peculiarly weak political position in relation to each other and to career bureaucrats.

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—The power of the bureaucracy is mainly passive, not active. It consists in the capacity to withhold needed services rather than in the capacity to oppose political superiors directly.

—Therefore political executives' first necessity is to help themselves. They do this by extending their networks and relationships throughout Washington so as to gain confidence about the nature of the surrounding political forces.

—But it also follows that self-help is not enough. The political leaders central problem in the bureaucracy is to gain the changes he wants without losing the bureaucratic services he needs.

Given these conditions, the essence of political statecraft in the bureaucracy is strategy—maneuvering with limited resources so as to create relative advantage. In talking with almost 200 appointees and bureaucrats representing all of the postwar administrations, one hears a number of recurring themes. There is no simple set of rules guaranteeing success but there are some regularities in the scars left by past mistakes.[1]

Theory Z: Conditional Cooperation

Experts writing about private organizations have described two different orientations toward management control. Under so-called Theory X it is assumed that an average subordinate avoids work if he can, loathes responsibility, covets security, and must be directed and threatened with punishment in order to put forth sufficient effort to achieve managerial goals. Theory Y emphasizes a worker's need for identity and personal growth through work, rewards rather than punishment as a means of motivation, and the cooperation toward objectives that can be gained by commitments to mutually agreed upon goals rather than by strict supervision from above.[2]

What matters is not so much the academic models of "nice guy" or "tough guy" management but that public executives constantly come to Washington

[1] For a fuller discussion see Hugh Heclo, *A Government of Strangers* (Washington, D.C.: The Brookings Institution, 1977). Research for this book was conducted from 1973 through 1976 and draws upon more than 200 interviews with political and career executives. All postwar administrations are represented in this sample.

[2] The arguments are reviewed and set out in much greater detail in Douglas McGregor, *The Professional Manager* (New York: McGraw-Hill, 1967); Frederick Herzberg, *Work and the Nature of Man* (Cleveland: Cleveland World Publishers, 1966); and William K. Graham and Karlene H. Roberts, eds., *Comparative Studies in Organizational Behavior* (New York: Holt, Rinehart and Winston, 1972). One of the few relevant studies of civil servants is Fremont James Lyden, "Motivation and Civil Service Employees," *Public Administration Review*, 30 (May-June 1970). For a discussion of the generally lower level of commitment in government executives, see Bruce Buchanan, "Government Managers, Business Executives, and Disorganizational Commitment," *Public Administration Review*, 34 (July-August 1974), 339–47.

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acting as if they subscribe to one or the other of these views. Consider one of the most extreme examples in recent years of hostility between political appointees and bureaucrats: the social service program of the Department of Health Education and Welfare during the Nixon administration.[3]

After several years on the job two of Nixon's leading appointees in these agencies pondered their different routes to ineffectiveness. Here is how one, a self-acknowledged muscleman, looked back on his approach to subordinates:

> In the short run it probably helped me to be known as a monster. It established me as a force to be reckoned with. A lot of people were afraid to join battle with me. But in the long run it hurt a lot because it put people on the defensive. You'll get some reaction if people think you're mean enough or are going to be around a while or have enough powerful allies, but it can't last long enough to have much impact. You're not likely to know when you're getting real cooperation and when they're just acting out of fear. If I had to do it again, I'd spend more time getting to know the people under me and their programs. I'd keep asking why do we do it this way, Why that? It is not really effective trying to browbeat people and win every little battle.

The other political executive (in the same agency) avoided all the mistakes of his tough colleague, but reflected on the futility of his wholly compassionate approach:

> I made the decisions but they [bureaucratic subordinates] just continued to argue. The delays went on until I left office. . . . The biggest problems were the procedures and paper work and special pleading by office heads under me. I was overburdened because I couldn't count on delegating it and have things turn out the way I wanted . . . I think they figured I would be an easy mark. . . . I made the same mistake the secretary did. He was too nice to knock heads and let people know he meant what he said. [A successor] came in and got things going. He let people know he expected orders to be followed in a timely fashion and when they weren't, heads got knocked, people transferred; there were early retirements.

Lessons can be drawn from these and similar experiences, but frequently only the bureaucrats are around long enough to do so and to learn from such failures. According to a high bureaucrat who watched both appointees:

> They did all the wrong things. I don't think they ever understood that governing is about making a lot of different forces coalesce. The feudal bureaus, interest groups, congressional politics—these are all things to be used. There are pretty firm limits on your control and how far you can persuade people to change, but there is some room for progress by pulling these things together. . . . The smarter guys choose a manageable number of things they care about and promote key people already here who can help still the rebels. They try and bring around those opposing them. It

[3] For detailed evidence on this particular disaster area during the Nixon years, see Joel D. Aberbach and Bert A. Rockman, "Clashing Beliefs within the Executive Branch," *American Political Science Review*, 70 (June 1976); and Martha Derthick, *Uncontrollable Spending for Social Services Grants* (Washington, D.C.: The Brookings Institution, 1975).

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> can take three to four years and will never work if you start off by telling bureaucrats they're crap. . . .
>
> You don't let people buck you and run behind your back. If you catch them at it, you can isolate them and get rid of them. . . . But you also don't get far by coming in and setting up separate people, programs, and ideas to the exclusion of existing ones. If it's going to stick, what you want has got to be associated with what's going to be here after you're gone. An appointee has got to make other people feel a part of the credit line.

Of course this bureaucrat is only one of the many people involved in executive politics who are constantly judging and ranking each other in numerous different ways. Though in Washington anecdotes of this kind are commonplace (and many of them naturally self-serving), there is a core of agreement about what has constituted the statecraft of effective political executives.

The basic point is that experience reveals the shortcomings of both Theory X and Theory Y and suggests the value of a third approach to working relations between political executives and ranking bureaucrats. It is what might be termed conditionally cooperative behavior. Any premise of compassionate cooperation and participatory management overlooks the bureaucracy's divided loyalties, its needs for self-protection, and its multiple sources of resistance. Unconditionally negative approaches fail to recognize the enduring character of bureaucratic power and a political leader's need to elicit the bureaucracy's help in governing.

"Conditional cooperation" emerges between these extremes. It implies a kind of cooperation that is conditional on the mutual performance of the political appointees and the civil servants. It emphasizes the need of executives and bureaucrats to work at relationships that depend on the contingencies of one another's actions, not on preconceived ideas of strict supervision or harmonious goodwill. Conditional cooperation rejects any final choice between suspicion and trust, between trying to force obedience and passively hoping for compliance. By making their reactions conditional on the performance of subordinates, political appointees create latitude for choice—possibilities for various types of exchanges with different bureaucrats. The basis for the executives' leadership becomes strategic rather than "take ot or leave it."

As opposed to a set formula that assures success, conditional cooperation is a strategy that suggests a variety of resources and methods for trading services. It increases the likelihood that some political executives will do better than others in getting what they need from Washington's bureaucracies. Superficially, conditional cooperation might seem to be simply a matter of exchanging favors with the bureaucracy on a quid pro quo basis. The reality of executive leadership is more subtle. It involves bringing others to appreciate not so much what they have gotten as what they might get. Would-be executive leaders, remember, are like poor credit risks in a well-established credit market; they have had little chance to acquire a favorable standing or reputation in the eyes of other participants who are used to dealing with each other. The new political strangers have

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to work at building credit in the bureaucracy precisely because they have not had—and will only briefly enjoy—a chance to put anyone in their debt. Even so, memories are short and debts are often not repaid in Washington. The real basis of conditional cooperation lies in making bureaucrats creditors rather than debtors to the political executive; that is, giving them a stake in his future performance. Any past exchange of favors between appointees and careerists is far less influential than the general hope of grasping future returns. It is the grasping rather than the gratitude that drives executive politics.

Using Strategic Resources

Strategic resources are important because they provide the possibility of exchanges with the bureaucracy that can create commitments to mutual performance. In theory, of course, it is conceivable that trust could be based on unconditional cooperation—a kind of gift relationship in which political and bureaucratic leaders expect little in return from each other. In practice, exchange is a way of life cultivated by those in the ambiguous executive roles of Washington. Political appointees cannot expect to stand—much less move—on the basis of their formal authority as appointed political leaders; neither can high careerists expect to be automatically accepted as carriers of the internal norms of civil service responsiveness. Even the institutionalist bureaucrat, the clearest example of a "model" civil servant, expects that his cooperation will be repaid with some degree of political respect for the integrity of government institutions. A distinguished academic "in-and-outer" colorfully described the public executives' strategic situation:

> I spent the first days up with [the secretary], and it was marvelous all the plans we were making—the executive suites, limousines, and all that. Then I went down into the catacombs and there were all these gray men, you know—GS 15s, 16s, and I understood what they were saying to me. "Here we are. You may try to run around us. You may even run over us and pick a few of our boys off, but we'll stay and you won't. Now, what's in it for us, sonny boy." And they were right there was nothing in it for them. The next time I got a presidential appointment, I made sure there was something I could do for them and they could do for me. We sat down together and did business.

Strategic resources in Washington are means by which executives and bureaucrats try to show "what's in it" for each other. These resources can be grouped into a few serviceable categories: goals and opportunities, procedures for building support, and ways of using people. But to many observers the most immediately obvious resource is an executive's political power. Paradoxically, a closer examination shows that political power may be one of the clearest but also one of the most limited assets for purposes of political leadership in the bureaucracy.

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Political Clout

Appointees with political clout—those who are willing and able to use many different means of self-help—not only extend their circles of confidence for dealing with outsiders but also create resources for dealing with civil servants inside. One such resource is a political executive's potential access to higher political levels. Career officials recognize that political contacts can mean the difference between the views of their agency being heard versus being merely tolerated or even ignored in the secretary's office or the White House. A careerist recalled longingly:

> Our last assistant secretary had terrific relations with [the secretary and two high appointees in the White House and the OMB]. He could call up, tell them our problems, and get them to listen and see if they could help. It improved our odds. Not everything, but an awful lot in Washington is done on the strength of these one-to-one relationships. Now we can't even get in the ball game.

Information carried back from higher political levels also aids top civil servants if their political executives convey it. It helps to know, for example, "whether it's just an ad hoc decision or something implying a policy," or "what's of interest and worrying the political people; maybe it's just some prior notice the President is giving a speech on a certain subject." Without such information higher civil servants know less in advance and worry more. "You spend your time on papers that no one really cares about . . . you have no idea of how the other political people are likely to react. . . . You don't know whether it really is a topside decision by the President or secretary or a call by some young political aid three times removed."

Thus the more adept a political appointee becomes in building his circles of confidence and in protecting his prerogatives, the more the value of his advocacy appreciates in the eyes of the bureaucrats below. In every department in every recent administration, one of the chief ways political executives gained support in the bureaucracy was by being, or at least appearing to be, their agency's vigorous spokesman. "Fighting your counterparts in other departments creates confidence and support beneath you," one acknowledged. In reference to a strong advocate in his department, a civil servant said: "He was well regarded on the Hill and dealt from strength with [the interest group]. A lot of White House people were afraid of him. You could get more of what was wanted approved and through Congress." Less politically effective executives may be personally admired by civil servants but have little to offer in return for bureaucratic support. As one such cabinet secretary was described by a bureau chief: "He had charisma, a really fine and open man who a lot of civil servants around here liked. But he never got a grip on the department. He didn't really fight for what was needed and if he made a decision it was because he got maneuvered into it by the staff." Experienced bureaucrats recognize that such appointees leave their agencies and programs vulnerable to more politically aggressive competitors else-

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where. In this sense, career officials will typically prefer a strong if unpleasant advocate to an amiable weakling.

A politically effective appointee is involved in speaking out, making claims, attacking other people. Openly exercising political muscle in this way involves a high degree of public risk-taking, which civil servants themselves are likely to shun. The very fact that a political executive not only is expendable but certain to be expended can paradoxically provide a strategic resource of sorts. Since any large bureaucracy is rarely of one piece, some civil servants consider a new face that is willing and able to expose itself politically to be an opportunity for support that had better be used while it is available. After serving under a string of cabinet secretaries, a bureaucrat observed:

> One thing I've eventually learned is that new people coming in can often get things done that others around a long time can't. People in the bureaucracy are telling them it's impossible, but they don't know that something can't be done and they do it. Like some Republicans have come in with no real obligations to the unions after an election, and that can be a big advantage. On the other hand, sometimes the unions will take things from a guy they regard as "one of them" that they'd never take from anybody else. It cuts both ways, and when you get a new guy who's tough and knowledgeable, you better make hay while the sun shines.

Thus a political appointee who shows himself able to take political risks can evoke responses that belie the stereotype of bureaucrats waiting to outlast political appointees.

Generally all these resources—political access, information, advocacy, and risk-taking—are by-products of any appointee's efforts to build credibility amid the maze of strangers in the government community. Political executives who can help themselves (like those already advantaged politically by the selection process) gain compound interest in dealing with the bureaucracy. For other executives, nothing fails like failure; political weakness in dealing with outsiders exacerbates all their problems of coping with bureaucratic insiders. To those who have, more is given, and those with scant political support are likely to have even that taken away by government infighting.

The resources derived from political clout, however, are also severely limited for would-be political leaders in government agencies. Risk-taking, advocacy, and so on, all point outward and are only very indirectly related to changing the behavior of officialdom itself. If political executives do not already agree with, or are unwilling to adopt, the bulk of the careerists' own agenda, then other resources for dealing with the bureaucracy are required. A politically powerful undersecretary explained: "We got along very well in the department because we wanted to and helped the bureaucrats do what they wanted to do." But the need for political leadership often goes further than bureaucratic advocacy. The same undersecretary's deputy recalled:

> We got a lot of loyalty and backup from the civil servants in return for his confidence in them. But the result too was that we got sucked in a number of times—I mean

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> accepting and defending their advice that something couldn't be done. Then when the heat turned on in Congress or the press, you found out you could do these things after all. . . . What we didn't get was a lot of critical, innovative thought, because going along with the careerists in the accepted ways wasn't the way to get that. You also have to double-check, push bureaucrats, get mad sometimes.

The paradoxical fact is that the political clout of the appointees can help bureaucrats get more of what they want, but it offers little assurance that appointees can get what they want from the bureaucracy, especially if this implies changes in policy. If mere appeals to outside political power could compel changes among officials inside, the executives' lives would be easy; indeed their leadership would be unnecessary in the executive branch. But life is not so simple. As government leaders, the executives' problem is to gain the changes they want while acquiring the services they need from the bureaucracy. For that, they have to unite managerial brainwork and sensitivity to whatever political muscle they may have.

Goals and Opportunities

The pressure of time and circumstances forces political executives to confront many choices they would rather overlook. It also forces them to overlook many things they might like to consider.

In a general sense this need to focus attention is a constraint on leadership, yet in a strategic sense it can also be an asset. Experienced political executives have found that the process of goal-setting can be an important source of strength in dealing with the bureaucracy.

The underlying logic seems obvious, but it is often lost from view in the press of events and crises. A political executive who does not know what he wants to accomplish is in no position to assess the bureaucracy's performance in helping him do it. Likewise, an executive whose aims bear little relation to the chances for accomplishment is in an equally weak position to stimulate help from officials below. By trying to select goals in relation to available opportunities, political appointees create a strategic resource for leadership in the bureaucracy.

The operational word is selectivity. By the time they are leaving office, political appointees commonly regret the waste involved both in trying to do everything at once and in trying to do anything that is unrelated to the available chances for success. Here is how appointees from three different departments described what they had learned.

An assistant secretary:

> "We didn't figure out what could and could not be moved in the department, with OMB, with the appropriations committee. . . . We bloodied our noses on things that couldn't really be changed.

An undersecretary:

> Deciding what you can win is important because then you don't use resources need-

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> lessly. For example, here are six decision memoranda on decentralization. I had no idea there'd be such a strong congressional backlash. Next time I wouldn't try and get some general authority through. I'd decentralize only a small bit of programs at first. It's a matter of what you can and cannot win and how you can or cannot win.

An assistant secretary, after eighteen months on the job, describing a standard situation:

> There's a budget cycle, a personnel cycle, a planning cycle—for what it's worth—and lots of other smaller recurrences in the department's business. It can take a year for these to unfold so you understand about them and see it is a matter of which cycles you leave for civil servants to keep running and which you try and make work for you. Doing it again, I'd spend less time trying to deal with 60 percent of everything and drop to 30 percent on some things and 90 percent on others I care about.

Obviously such comments have much in common with the bureaucratic dispositions mentioned earlier—gradualism, indirection, and so on. This does not necessarily mean that appointees have been captured by the bureaucracy, but it does suggest an accommodation to the need for fitting ends and means in the exercise of leadership. Such discrimination can be found alike in appointees who seek to expand or cut government programs and in those who see their aims as stemming from their own agenda or (as in the cases quoted above) from overall White House desires.

How do political appointees try to link choices on goals with available opportunities and thereby strengthen the incentives for bureaucratic cooperation? Specific circumstances obviously vary, but they have some common features.

Preemptive Strikes. The early days in office—particularly with a new administration—constitute a particularly rich set of opportunities for any objectives aimed at major change. "After the first year the magic is gone, the weaknesses start to show, and you get bogged down with criticisms about what's gone wrong since you came in," one appointee remarked. A top appointee in another administration related how

> setting out major policy lines quickly means you're at an advantage because things are still loose and flexible in government. Later, people get more locked into positions; it's easier to get out-maneuvered. If people under you are confused in the first year about what's wanted and control is lost, then it is hard ever to get it back.

The advantages to be gained from scheduling major changes early, however, are extraordinarily difficult to realize in Washington. Most appointees cannot expect to enter office at the very beginning of a new administration. Even if they do, the incoming presidential party will rarely arrive with an operational plan for what it wants to accomplish in specific agencies. Moreover, the advantages of prompt action fit poorly with the needs of new political appointees to learn about their jobs and establish a network of relationships in the nation's capital. The exception to the normal situation was cited by one executive who had

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reorganized his agency, cut the work force by one-fifth, and won legislation to substantially redirect the major objectives of its programs:

> The only reason we could do it was because we knew what we wanted and moved between February and May, right after the inauguration and my confirmation. People in other agencies weren't quite sure what was happening and anybody getting upset didn't know where to go. Later in the year, without the honeymoon feeling and confusion, I'd have been stymied.

Areas of Relative Indifference. As political executives learn more about the particular views that seem to be locked into congressional committees, interest groups, and subordinate officials, they often seek advantages by choosing to act in areas of relative disinterest to other participants. They try, as one appointee said, "to charge down the corridors of indifference." Thus in many agencies the temporary executives generally find that they create less antagonism by concentrating on overall administration and organization rather than on detailed program delivery, on money grants rather than people services, on planning rather than implementation, and on squeezing rather than eliminating a program.

These strategic choices obviously reinforce inertia and marginal change in government. Such incentives can mean that many political appointees find it in their interest to deal with the easiest, not necessarily the most important, issues. But even (indeed especially) those appointees who recognize their leadership responsibility to cope with important controversial issues learn the value of selecting proximate goals that at least do not arouse a maximum of opposition initially. An executive trying to deal with programs in the Department of Agriculture described the details of a common situation:

> This is not what you'd call a common sense environment. You can't just go after things. With the Agricultural Extension Service, state and local governments pay the majority of their salaries. The state directors of FHA [Farmers Home Administration] are appointed by state political groups. The county office heads of ASCS [Agricultural Soil and Conservation Service] are appointed by elected county committees, but it handles farm programs at the core of this department's operations. We can't end the pilot school milk program, even though we now have the school lunch program, because of the school lunch lobby, equipment manufacturers, milk lobby, and our own Nutrition Service. Each program also has a certain congressman's stamp on it. Eliminate it and it's an affront to him, the clients, and the bureaucrats delivering it to them. There are just a lot of people around who can tell you to go to hell when you go after program delivery. We decided to leave this alone and not get into how they sit down with clients.

Management Missions. Even if political executives are unable to take advantage of early opportunities or areas of indifference, they can acquire advantages in dealing with the bureaucracy on the basis of objectives that are what some science administrators call "project-like." Such goals identify a given point to be reached with a particular set of resources and within a particular time.

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Expectations between political appointees and civil servants become more firmly based; the mutual performance that each expects of the other becomes clearer. Everyone, as one official said, "knows the mission: You have a schedule, costs, and a group of interlocking activities that have to be performed in order to get from here to there."

Some potential executives fear the disadvantages of such engineering analogies in government (among other problems, outsiders can more easily assess the executives' own performance); others feel they make the job easier. "You've got a better idea of where you stand, who's producing it, how to motivate officials to pull together," one said. The space program of the National Aeronautics and Space Administration (NASA) is the example most frequently given, but other executives may point to a major building program, a new accounting system, a given reduction rate in subsidies, and similar "missions."

A number of efforts have been and are being made to systematize the treatment of objectives in the executive branch, and no doubt further improvements can be made. Indeed the ability to provide clear, measurable objectives is often taken as the sine qua non of rational programs and political leadership in government. There is no need to review the ample literature on attempts to analyze (the planning, programming, and budgeting system), monitor (management by objectives) and reevaluate (the current program evaluation movement) agency objectives. Here it is enough to emphasize that as a practical matter the ability of most political executives to use project-type objectives in their working relationships with the bureaucracy are often severely limited. Businessmen experienced in government usually cite the lack of measurability compared with the situation in private enterprise. "In the private sector you know the name of the game—to get a percentage return, a certain productivity increase. Here there're no profit guidelines. Dollars aren't the measure of your performance." One explained that in government since "dollars aren't the bottom line, you get proxies for performance, input measure related to doing the work, providing a service, not producing an output." Knowing when a businsss has increased its market penetration from 40 percent to 42 percent is not like knowing when people have decent housing or proper health care.

Even beyond the problem of measurability, however, there are other powerful constraints on the political executives' use of mission-like objectives. One of these limitations is that what can be measured is often unrelated to the effectiveness that is judged and rewarded. "If I sweated fat out of my organization and increased productivity by 5 percent," said an executive, "I'd be a big man in my company. Here I could do that and be out of step with the secretary or a senator and get zinged every time. Or I may be a boob and with a politically favored program still get my funds increased in a way unrelated to how I'm doing as a manager."

Another inherent limitation is that since an executive's mission in Washington usually depends on contributing actions by a number of semi-independent outside participants, it can become extremely difficult to judge who is respon-

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sible for poor performance when objectives are missed. "At NASA we were lucky because there weren't six other agencies . . . involved in trying to put a man on the moon. If our people blew it, they couldn't pass the buck as easily as they can in most places." Political appointees will probably have to accept the legitimacy of much of the outside participation in their missions, even if this blurs accountability.

Still another constraint on mission-like political objectives lies in the temporary executives difficulty in learning enough about their organizations to assess the normal gamesmanship familiar in all organizational objective-setting. As one management analyst in government observed: "Objectives set unrealistically low just make people look good when they surpass the goals. Set very high they may just frustrate people into finding ways around them. The only way to get a sense of realism is to have good substantive knowledge and experience with the programs themselves." As noted, not many political appointees can be counted on for that kind of in-depth bureaucratic knowledge.

A final and most important constraint on the public executives' use of objectives is that political leadership commonly involves changing goals, not just hitting targets. An asistant secretary in one of the few agencies where measurable objectives were established by congressional statute acknowledged: "I was there just to get the program in place and running. There wasn't the time or opportunity to look back to ask if these are still the goals we should want to accomplish. It'll have to be someone else's job to worry about redirecting the agenda." Redirection may come from a new "man with a mission," but it is more likely to evolve slowly as new men cope with the circumstances. Goals are changed, not simply because political leaders renege on promises, but also because people who are affected complain about the old goals; or because some objectives (particularly in social programs that are oversold) cannot be achieved or achievement does not have the desired effect; or because people and organizations interested in self-preservation realize that having only one finite aim can be a terminal occupation—in short because of the normal course of self-interested interaction called politics.

Climatic Pressures. Since discrete missions normally are difficult to use as a management tool, political executives improve their ability to deal with their organizations by treating goals, not as givens, but as part of an ongoing political process. "Climate" is a term frequently used to describe a variety of factors involved in adapting goals to prevailing circumstances. Sometimes a scandal may provide the impetus: "Billie Sol Estes was the best thing that ever happened to our plans for creating a post of inspector general [in the Agriculture Department]." Less drastic outside criticism can also help.

> Our secretary used to complain that the GAO [General Accounting Office] should get off his back. I was there when [the secretary of defense] told him he ought to get smart and do like he did: take advantage of every GAO report to get changes he wanted. With these reports he'd go to people in the interest groups and bureaucracy

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saying, "Look, these guys are breathing down our necks. Here's what we have to do." Sometimes he even did what GAO recommended.

Frequently less tangible "ideas in good currency" surround the bureaucracy and provide some of the best opportunities for realistic goal selection. Political executives who link their aims to ideas in good currency can gain a broader base to deal with even the most entrenched bureaucracy. One experienced official watched a succession of appointees gradually change a government agency that had once been considered to be in an impregnable alliance with its powerful clientele:

> You can't really trace it to any one administration or appointee, but over time the bureau's budget was squeezed, some things taken away, nothing new added. A series of people coming in reflected the feeling in the air that there were broader policy issues that mattered more than the particular prerogatives of this bureau.

The continuity to accomplish such long-haul change exists in points of view rather than in particular people. This gradualism, of course, may not provide very much gratification for political executives interested in big payoffs within their relatively short terms of office.

Hence, as a strategic resource, the selective intermixture of goals and opportunities is important. It helps a political executive specify how his exercise of political clout on the bureaucracy's behalf is conditional on the bureaucrats' performance. It sensitizes executives to the fact that working relations with the bureaucracy depend not only on winning fights but also on selecting, transferring, bypassing, and often running away from some fights in favor of others. Yet there are also considerable limitations. Political appointees in Washington may not be able to act early or to find areas of indifference. Neither can they count on acquiring clear missions against which to measure and climatic opportunities with which to spur bureaucratic performance. And as the next section shows, however well an appointee manages to point people in a particular direction, he will discover that his job in the bureaucracy is one of selling, not pointing.

Building Support

Since few political executives have the clear missions or massive public and political backing with which to generate spontaneous cooperation, they must usually work at procedures for building support in the bureaucracy. Changing words, plans, and pieces of paper is easy. Changing behavior, especially while not losing the constructive services of officials, is much more difficult.

Efforts to build support may embrace a specific policy objective or something as vague as improvising goals through the everyday interactions of government. Whatever an executive's aims, the inertia he faces in any agency is generally a compound of at least four elements. First are the Opponents, who see vital interests harmed by change and who are unalterably opposed to the ef-

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forts of political executives. Second are what might be called "Reluctants," people who may be opposed to change but who are not immune to persuasion that there are some hitherto unrecognized advantages: they will at least listen. Third, are the Critics—civil servants who feel they have views to contribute and are willing to be supportive as long as what they have to say is seriously considered. Finally, the Forgotten are those whose failure to support political executives stems from their failure to hear what is wanted or to hear correctly.

These four bureaucratic types can no doubt be found in any organization, but they are particularly important in the public agencies of the U.S. executive branch, where a gulf of mistrust and many differences can separate the temporary leaders from those who spend their lives in government. Inexperienced appointees often visualize only the Opponents and respond with indiscriminate suspicions and withdrawal from the bureaucracy. Political executives more accustomed to the Washington environment make more efforts to cultivate the different sources of potential support, lest their reactions to Opponents prejudice possibilities of help from the others. Here I describe these efforts in terms of communications to deal with the Forgotten, fair hearings for the Critics, and consultation for the Reluctants. Outright Opponents fit more naturally into the discussion of bureaucratic sabotage and space limitations prevent dealing with this group here.

Communication. Veteran bureaucrats usually cite failures of communication as the greatest weakness in the political appointees' relations with the bureaucracy. A typical comment: "Being so suspicious, political people are hard to talk to. They and bureaucrats aren't able to get their views through to each other. What you really need is better communications." Standing in isolation, this view is difficult to assess because the same official later noted that "when you do give out information it can leak all over the place, cutting off confidence and strengthening the opposition." Political information is a strategic resource that should not be dissipated. Like the warnings, orientations, and so on that bureaucrats can offer to new executives, information held by appointees is not a free good. Hence selectivity is obviously as important for communication—in the sense of passing strategically important information—as in goal-setting.

Communication in the sense of "getting the word out," however, is another matter. It seems difficult to have too much of this kind of communication. Executives cannot tap into potential bureaucratic support if large groups of people do not know what is wanted or, even worse, if they are only vaguely aware that an appointee exists. In the musical chairs at the top, political appointees typically begin communicating by at least trying to establish a personal "presence" in their agency, although how they do so varies with personal style. Some like to "press the flesh," to make the rounds of everybody in every office. Others are more comfortable with large meetings, and still others do better to avoid personal contact if it only betrays an insincere gesture.[4] Of course, a mere presence is unlikely to change anything, but it is a beginning.

[4] New department heads are especially prone to ritualistic mass handshaking sessions. As

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In a larger sense, political executives often fail to recognize that they are always communicating—by example, by innuendo, even by a refusal to talk with people. The real need in building support is to communicate what is intended, for both intended and unintended signals are picked up in the bureaucracy.[5] For example:

> —The agency was supposed to be preparing a tight budget, and here he was big-dealing it by flying all around the country with a huge staff contingent.
>
> —We read [the appointee's] address to [an outside conference] pledging to meet the needs of these people. Then when we loosened up the program and it grew, word came down complaining that things were out of control. Everyone here was dumbstruck. It showed his ignorance about what he himself was doing.

As noted earlier, even an apparent refusal to communicate provides its own signals to civil servants. "Suddenly, you're not asked things or talked to, just told what must be done. You are supposed to be just a tool—not a professional."

Particularly in the Washington environment, communication cannot consist of simply saying something once in the bureaucracy. Persistence and follow-through lie at the heart of efforts to convey accurate messages. In part this is because the immense federal organizations find it difficult to transmit any messages through their many layers. Moreover, the executives' statements often produce little detailed guidance and leave much room for competing interpretations. There is another, less obvious reason why follow-through is probably the most important aspect of the political appointees' communication. The complex Washington environment makes it extremely difficult to separate the players' real moves from symbolic ones. Those on the receiving end of messages from political executives are accustomed to applying a heavy discount factor to mere proclamations. A supergrade explained that "over the years you see that a lot of the instructions aren't intended to be carried out. It takes extra effort to make it clear to people down the line that something is meant, not just another statement for the record or some speechwriter's inspiration."

Hence for political executives to say something once is a statement of intention; to show others what is meant and that it cannot be forgotten becomes a strategic resource. These extra efforts may take the form of reporting procedures, instructions committed to writing, informal reminders, complex management information systems, and a host of other techniques. But again, none of these techniques are substitutes for personalized networks and discussions. For

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one bureaucrat said: "Everyone had to be lined up, one by one, to get the glad hand. It was like an internee camp. Besides, he was so dumb that he did it when everyone wanted to go to lunch."

[5] Such indirect influence from the top is illustrated in Robert Sullivan, "The Role of the Presidency in Shaping Lower Level Policy-Making Processes," *Polity*, 3 (Winter 1970), 202–21. Similarly, the history of corruption investigations in Washington is replete with officials' claim that their actions were not intended to influence pending cases or decisions, even though others caught the significance of small signals, including a raised eyebrow. See Bernard Schwartz, *The Professor and the Commission* (New York: Knopf, 1959), p. 234.

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purposes of communication follow-through, these networks need to include people at the operating levels of the bureaucracy. After describing the sophisticated reporting requirements he had helped create, an agency manager concluded by recognizing that "all these statistics and reports do is throw up some signals that things aren't happening at the point of impact. Our best techniques give only the signals, not the story. That's why you need personal contacts down there." There is therefore little point in advising political executives to concentrate on broad policy decisions rather than waste time on details. General decisions or guidelines may communicate little to subordinates without specific interventions and "casework" to demonstrate what is wanted in particular types of circumstances. But it is a waste of time and a source of confusion to impart details that are irrelevant to the executives' major purposes.

Follow-through often requires more persistence than appointees have time or inclination for, but there are few surrogates for the extra effort at communication required from political executives. Higher civil servants may help, but in Washington there are few generalist career officials with the responsibilities and stature that would permit them to oversee any broad-scale follow-through for a department or policy. "Try that," said one civil servant who did, "and you have political appointees jumping up against you all over the place saying that that isn't the way they understand administration policy."

Due Process Again. Efforts to get the word out imply the reciprocal: listening to those who feel they have something to say. Political executives who are unwilling to provide a fair hearing to people in the bureaucracy generally find they have forced two otherwise distinct groups into the same camp. Working relations deteriorate not only with diehard bureaucratic Opponents but also with Critics who did not feel they had to win as long as they could gain access for their views.

For many civil servants, the complexity of many policy issues can reasonably justify a range of decisions by political appointees. For these bureaucrats a specific outcome may be less important than the kind of due process noted for relations among political appointees themselves. As one career supergrade said:

> The options aren't all that different regardless of which party is in power. Most of the [decisions] are in gray areas and could go either way. You're not facing a lot of moments of truth as long as you have a chance to have a serious input. What many career people do care about is that their sorting out of the alternatives comes into play, that however they [political executives] decide, there is evidence they've paid attention and at least had to wrestle with the issues worrying us.

Political appointees denied due process (at least those interested in self-help) can be counted on to raise a ruckus with each other; bureaucrats usually shop quietly among the many alternative listening posts in Washington and find other ways of getting their views heard. At any given time the consequences can be observed in a number of agencies. A GS 16 described a familiar set of choices and his own decision on what he regarded as an important issue:

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> I think a lot of people feel they aren't being taken into account and are just expected to rationalize decisions from on high. It's when you are denied a voice that life becomes tough. You've got to decide if you can live with this and yourself or if you want to try and outlast it, or move. Or do what I'm doing now—find an ally elsewhere with more power than you to help make the case.

In another large agency a prominent bureaucrat described the slide into demoralization:

> The feeling has grown in both the Johnson and Nixon administrations that the bosses didn't really want to hear what the career people had to say. You're not part of anything, just stuck out in an office somewhere, doing God knows what, that has an impact who knows where. I've seen the discontent filter through the whole structure. Productivity is falling, leaks are increasing, people are playing safer than ever before.

Obviously, listening to the bureaucrats' views on every issue may be unduly costly and time-consuming for a political executive. The value of working to establish a reputation as a leader who listens is cumulative, not immediate. Such a reputation is a strategic resource because it contributes to the trust that will undoubtedly be needed as specific pressures require forbearance from those below. Moreover, whatever the substantive value of the information communicated from lower-level officials (and it may be considerable), fair hearings can create a competition among perspectives that strengthens an executive's hand.

Consultation. With the Reluctants in the bureaucracy, political executives face the choice of seeking out or avoiding more active consultation. Such consultation may involve anything from the initial selection of goals to discussions about implementation. A great deal has been written about the pros and cons of so-called participatory, or democratic, management. The argument in brief is that "significant changes in human behavior can be brought about rapidly only if the persons who are expected to change participate in deciding what the change shall be and how it shall be made."[6] A number of case studies of public agencies suggest that the degree of participatory management is unrelated to effectiveness in accomplishing the intended goals of reorganization but does improve the employees' support and reduce resistance to change.[7]

These studies, however, also suggest a more important point: that the arguments for or against active consultation with subordinates are highly dependent on the particular situation and context. For purposes of political leadership in the bureaucracy, participatory management (trying to create a sense that "we

[6] Herbert A. Simon, "Recent Advances in Organization Theory," in Stephen K. Bailey and others, *Research Frontiers in Politics and Government* (Washington, D.C.: The Brookings Institution, 1955), pp. 28–29. For a more recent review of this subject, see Philip Sadler, "Leadership Style, Confidence in Management and Job Satisfaction," *Journal of Applied Behavioral Science*, 6 (January-March 1970), 3–19.

[7] Frederick C. Mosher, *Government Reorganizations: Cases and Commentary* (New York: Bobbs-Merrill, 1967). See especially pp. 526 ff.

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are all in it together") seems largely irrelevant if it is followed simply as a maxim or proverb of good management. Only in an abstract sense are political appointees and civil servants in anything together, other than their agency. Consultation becomes relevant as a strategic resource when it is offered or withheld so as to serve the purpose of executive leadership. When and for what do experienced political executives feel a need to consult in detail with those bureaucrats who, far from being helpful, may actually resist the exercise of political leadership in "their" agency?

The answers from many different agencies and administrations seem clear. In-depth consultation (which is *not* the same thing as indiscriminate information-passing) makes sense when bureaucratic resistance may be susceptible to persuasion, either through intensified argument or by involving Reluctants in processes that lead toward largely unavoidable conclusions.[8] Consultation for what? To find what might be called the points of mutual self-interest. Since there is never enough agreement to go around, political executives generally do better by trying to search for these possible points of shared advantage rather than by assuming from the outset that initial resistance is immutable. Even if complete agreement between political and bureaucratic executives is impossible, consultation may reveal a partial overlap of interests that suffices for the purposes at hand. "You're looking for places where you can support him so he can support you," as one official put it. A former strong man in the Nixon administration learned to respect bureaucratic power in the agencies "because they could push as hard as I could push them." He concluded: "You can't mandate change there. It's a question of sitting down with people and showing how things can be of use to them."

Mutual advantage produces institutionalized change. As the desires of a political executive become connected with the interests of at least some of the officials who will remain behind, the chances of an enduring impact grow. Here, for instance, is how one fifteen-year veteran in the bureaucracy compared the results of the tenure of two assistant secretaries:

> The government is used to absorbing tigers. Thomas was bright and tough, but if you asked him what actually got done, what around here actually operates differently since he came and left, he couldn't point to anything. . . . It was all put in on top and like a big spring, things went back to normal when the topside pressure left. . . . Williams, I think, got people believing it was their own ideas. You still see some of the changes he got through because people [in various bureaus] were working out and adapting the system so it became their own way of doing business. To get rid of this after he left you'd have to change operating procedures and nobody likes to do that.

[8] An official known for his wide-ranging use of interoffice consultations said: "This does not mean you bring the bureau chief into the secretary or undersecretary's office and lay out all the sensitive information that he can then use against you with [the interest groups] and Congress."

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The particular bargaining tactics used to arrive at a sense of mutual advantage are far too numerous to discuss here. They range from the creation of formal task forces and joint decision documents, to quid pro quo side payments, to indirect leverage through third-party pressures. Again, some of the essential flavor can be conveyed by a compendium of experiences, in this case from a political appointee who cited methods used to produce a variety of changes over the course of seven years.

> When we wanted a reporting system on things of interest to minorities, the statistics section said there weren't any data. I had them publish the table headings with empty columns. That got egg on their face, and they figured they'd better get some data on minority services before they were published again. . . .
>
> Quietly we started letting it be known about how the delays were hurting a lot of people in the agency. People started getting upset and asking how improvements could be made. "Well," we said, "here are some ideas that might work. . . ." The task forces helped show who was interested and where the pockets of resistance were. There's always somebody over in the weeds, and fifteen people sitting around a table can help bring that out and gang up on him a little bit. . . .
>
> We involved at least one person from each program division. The important thing was that with them working together, when it came out, you'd have some allies among the program people. . . . You could appeal to them by saying, "Look, why are you using all this manpower for things that aren't really connected to your bureau's objectives? With this plan you can use some of the cuts and reallocate them to things you really care about. . . ." Eventually they had to come up with suggestions themselves. The subsidies clearly were not working, and you could show that continuing in the same way meant at some point down the road we couldn't afford it; people would be hurt and there'd be a big hue and cry. Middle-level people fought like hell, but ultimately the division heads couldn't argue against the logic of the situation. . . .
>
> You know when you write the procedures you're the big gun in that field and anyone trying to change them is a threat to the foundation of your authority. The real back of the opposition was broken when we won over the dean of the budget officers, who'd built his power by letting the agencies go their own way on these things. Finally, through persuasion and a lot of argument, he was won over, and I remember as clear as day the meeting where he publicly capitulated. He said that if he'd known years ago what he now knew he'd have tried to put this through then.

As with other strategic resources, there are severe constraints on the political appointees' ability to consult and bargain toward mutual advantages with reluctant bureaucratic supporters. These processes require time, which temporary executives can often ill afford. Not everyone in large bureaucracies can be brought into discussions, and so a good deal of in-depth knowledge of the organization is likely to be required to identify at least proximate sources of resistance. Another obvious but often forgotten constraint is that any executive proposal needs to make substantive sense. There is little point in trying to persuade tenured officials with a case for change that does not have the merits to

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stand up against strenuous argument from those affected; often this requires more substantive knowledge than political appointees can muster. A related difficulty is that active consultation downward can strain a political executive's relations with his own political superiors, particularly if they are unwilling to tolerate compromises inherent in the give and take of any serious consultation. Without some leeway in what could constitute an acceptable outcome, consultation becomes perceived as a cynical attempt at cooptation and destroys rather than builds trust.

The various procedures described above for building support do not require that political executives avoid major fights with the bureaucracy, or accept whatever bureaucrats say, or cower behind the lowest common denominator of joint decisions. They do mean that some delicacy is required if appointees are to move among the natives in the bureaucratic villages without being captured. Experienced political executives do not necessarily make efforts to build support in the bureaucracy so that they can avoid the confrontations required by political leadership. They do it so that the fights, when they do come, are not one against all and to the death.

Many things—including personality, partisan politics, and intolerant political superiors—cause some political appointees to shun such delicacy in governing people. But the price of weak communications, restricted access for lower officials, and disregard for the self-interests of subordinates is the alienation of potential support in the bureaucracy. Many of the temporary executives in Washington choose to pay this price, and thus their initial suspicions about bureaucratic inertia and sabotage become self-fulfilling. What they cannot prudently do is to pretend that their actions exact no cost at all. The following comment by a Nixon appointee, who was surprised by the lack of bureaucratic cooperation he received, is an object lesson in the lack of statecraft:

> We began by going after the big issues and pretty much ignored the bureaucrats and opposition in Congress. The idea was to create some major points to rally Republican troops for the years ahead. . . . After a number of defeats in the first years it was decided to drop the legislative route and work through rules and regulations in the executive branch. The bureaucrats were very uncooperative toward this administrative strategy.

In this case the imprudence consisted, not of seeking partisan advantages, but of thinking that any "administrative strategy" could easily be built on bureaucratic relations that had already been cast aside in previous years.

Using People

So far strategic resources have been discussed in terms of political power, the selection of goals and opportunities, and methods of building internal bureaucratic support. People are also a resource that needs to be used for executive leadership. Political appointees often are unable to manage simply by motivating

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and bargaining with incumbent bureaucrats; in many cases changes in personnel are required in order to build a team that is in agreement about what needs to be done.

The idea of using people comes easily in Washington—too easily. Political executives naturally feel a need to have people around them who can be trusted from the outset and need not be won over. Given their own limited knowledge of people in government, inexperienced appointees are unlikely to believe they can count on this loyalty from below. More to the point, the civil service system—far from offering a basis for reassurance—often exacerbates doubts that good working relationships with career personnel can be expected. The labyrinthine civil service procedures and job-specific protections, the informal personnel practices and blurry intermixture of political and career jobs, the past attempts at politicizing the bureaucracy, the organizationally ingrown civil service careers, the standoffishness of civil servants who recognize the political vulnerability and career dangers that come in working closely with political appointees—all these offer public executives ample reason to doubt the people in government they inherit. Even if new executives harbor no ill will toward the Washington bureaucracy, they have to question whether this is a civil service system they can count on for help in exercising their legitimate leadership functions.

Thus the personnel system they walk into encourages the inclination of new appointees to think that their primary strategic resource and means of control lies in filling all key jobs with an outside retinue of personal loyalists. Unfortunately those who have watched the migrations of political appointees over the years generally seem to agree on one thing: importing a large number of outside lieutenants is usually an ineffective strategy for high political executives.

By now the reasons should be clear. The new subordinates can multiply all the difficulties of the executive's inexperience by bringing with them their own problems of self-help, short tenures, mistrust, needs for orientation, and so on. Not only do their personal loyalties fail to substitute for the institutional services the executive needs, but their intermediation can further separate the executive from bureaucratic services and vitiate opportunities for building support through communication, access, and consultation. Moreover, the proliferation and general bureaucratization of political appointees readily generates a false sense of security, a feeling that enduring changes in the behavior of government officials, and thus policies, are somehow being created just because more appointees are talking to each other.

One of the more aggressive assistant secretaries in recent years acknowledged his early admiration for "Machiavelli's advice: when you capture a town, bump off the top ten people, put in your own guys, and the rest of the population will settle down." Later he thought differently. "But you've got to realize this is a lousy communication system you're setting up. . . . There's nothing wrong with being tough, but doing it again I'd be more sensitive. I was having to work fourteen hours a day just to keep the place running myself until I got a good

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career deputy who knew how to get things done." The deputy described how this executive "had intimidated people so much that some were withholding bad news from him and others were beginning to play around with the statistics just to get results that would please him. . . . All the schedule C types had become a filter between him and the bureaucracy, calling their own shots and creating resentment. They were costing him more than he gained."

In the end a strategy of governing through outside placements also fails because it is normally an organizational impossibility. Without a massive reversion to spoils politics in government hiring, no top political executive can begin to place enough personal loyalists in all the important positions of his organization, i.e., in positions down to the level where discretionary guidance over the work of others shades into substantial routinization. "In this agency," said a top administrator, "we have six political slots; if you tripled that you'd still have less than two dozen of your guys in an organization of 62,000, and how long will it take for those 18 to figure out what's going on?"

Again, the more productive route lies in selectivity. Experienced political executives everywhere try to build strategy resources by selectively managing the various types of career personnel. In practice this means taking personnel actions to acquire officials already in the bureaucracy who show they can be of help, and if necessary bringing in outsiders to replace the unsuitable. Every cabinet secretary will want (though by no means will always get) his own lieutenants in top executive positions at the undersecretary and assistant secretary level. But below those levels the distinctions between civil servants and political appointees blur rapidly. It is here that political executives can gain a strategic advantage by using people in the bureaucracy.

The consensus of informed opinion on this point is impressive, among both bureaucrats and appointees and in Republican and Democratic administrations alike. Asked what advice they would give to new political appointees, most high civil servants would probably echo the one who said that "a smart guy should spend a while finding out who's productive, build on the ones who will help you do things, move them, use them to get other good people, and ride them as far as you can." Political executives with service in a variety of agencies report their experience in similar terms. For example, a Democratic assistant secretary with an expanding program said: "You can't motivate everybody. Some of these divisions are disaster areas with their leaks, but if you look, there are competent people around. I moved a regional director in to work in my office, replaced him with another good man I had watched. Then I took [a GS 15], consolidated some functions under him, and raised his status." In an agency where cutbacks were the executive's aim, a Republican undersecretary learned: "You didn't need to bring in a lot of new people because there was already an undercurrent of some who wanted changes; they could be found, encouraged, and promoted so you had a hard core of bureaucrats in key positions to ride herd on things."

The reason there is such consensus about using careerists goes back to all the

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bureaucratic services summarized best by the self-styled Machiavellian assistant secretary quoted earlier:

> I could have, and almost did, run around [an office director], and he could have beaten my brains out. But that isn't the point. The point is that no one understanding his function should want to run around him. I'm supposed to be smart enough to know what a guy like that is worth and realize that I should use him. [He] was a great civil servant, not because he did what you told him to, but because he would tell you how to solve the problems, what you could and couldn't do and why. With him I could get the changes through in one year instead of dragging on until I'm out of the picture.

To use bureaucratic personnel as a resource does not necessarily imply a political appointee's acceptance of the status quo. Sometimes political executives can create more flexible, innovative arrangements of officials and become less dependent on the established bureaucratic routines. The practical needs of decision-making, not management theory, lead experienced political executives to use bureaucrats in crosscutting and self-monitoring ways. These arrangements take many different forms. Career personnel may be used in policy analysis shops to foster competing analyses with program units; in an executive secretariat to make sure that views are canvassed, work processed, and decisions followed up; in mobile evaluation teams to report on activities further down the line. The reckless appointee may set everybody on edge by creating "my special strike force to go into the program divisions and report back only to me." The cooler agency head may get further with "a low-key special operations group that lives with the program people, gets in on things every step of the way, and plays it straight, letting those people know when and why they are reporting disagreements to me." By making these and other flexible uses of career people, government executives can provide a constructive service to both themselves and the bureaucracy. Such efforts show that if government officialdom is ingrown and cannot see new ways of doing things—as is often the case—there is an alternative to letting the career service go to seed and pushing political appointees ever lower in the bureaucracy.

If they are to use bureaucratic officials, even the toughest political executives need sufficient sensitivity to discriminate among the different capabilities of civil servants and match them to the appropriate jobs. Noticing that a civil servant is weak in one area, new appointees frequently overlook the needed help that could be given in other areas. "I almost made a mistake and dumped Williams because he couldn't negotiate with the other agencies," one said, "but he was superb in running the procedures. Starting a program, it's a two-fisted guy you want to bridge the torrent, but to keep things running smoothly you look for a diplomat who can still the tempest."

If political executives do not isolate themselves, they have ample opportunity to make these deeper assessments and go beyond the initial hearsay and apprehensions about Washington bureaucrats. These executives will watch meetings,

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responses to circulating papers, and special assignments. They will see that some "make serious efforts and are actively interested in finding ways of doing things" while others offer only "rote responses, reasons for not doing anything." An experienced political executive also looks for evidence of officials who avoid withholding information that puts him at a disadvantage. Some officials rarely create attention because they are anticipating and heading off problems; others may gain prominence by solving problems that are often of their own making, and still others may only look good because they leave the problems for someone else to solve. All of this requires more than superficial observation by political appointees interested in using civil service personnel actions as a strategic resource.

The real difficulty for executives in Washington does not lie in making these assessments but in finding the *constructive* flexibility in the civil service personnel system to do something about them. Contrary to popular beliefs, firing civil servants is not impossible, but it often requires experienced personnel experts to help work through the complicated procedures. There are such officials. As one said: "If you come up through the system you get to know procedures political appointees can't begin to cope with. I've fired civil servants who are incompetent or undercutting the leadership. The section in the book on firing is twice as long as the one on hiring, and it's dog-eared in my book." But what experienced officials will know and will usually encourage political executives to realize is that outright firings are extremely costly, not in dollars but strategic resources.

> Sometimes appointees seem to want to test you and ask "How do I fire a federal employee?" I tell him to give me the names and I'll have the employees out of the job in a month or two. But think of the implications, and you'll see there's a better, more indirect way of getting rid of a person you don't want on that job.

Given the nature of the civil service system, it is far easier and therefore much more common to use the indirect means available: quiet talks, early retirements, and exchanges (such as a favorable send-off in return for a graceful exit). Or as a former Civil Service commissioner said, "There are smart ways and dumb ways of getting rid of civil servants, ways that increase or decrease tension." Personnel advisers also recognize that the more hostile and unresponsive the civil servant, the more difficult removal becomes because of the likelihood of his using outside political connections. The general practice is to try to move unwanted officials to less troublesome positions. One career executive gave an accurate assessment of the options for anyone managing government personnel:

> What are you going to do with the guy who isn't doing you any good? You can make it known he isn't wanted, but some people don't get that signal. A confrontation can simply disrupt things and tie you up in procedures. You can try and make his job disappear [through a reorganization and reduction in force], but that's likely to backfire because he probably has got seniority and can bump young people below him who are better than he is. A transfer out of town is possible, but then he can use the

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> grievance procedure that this is an adverse action. The normal thing is to move him to where he can do the least harm.

The difficulty for the public in these strategic moves is obvious: the other areas of the public's business used as dumping grounds are likely to suffer and the payroll costs and inefficiency of government employment are likely to grow.

But the problem of utilizing bureaucrats an executive does want, and of doing so without prostituting the concept of a career civil service, is a more important one than the oft-publicized inability to get rid of civil servants. The agency career ladders, the officials' vulnerability to political reprisals, the haphazard arrangements for broader executive development in the public service—these and more barriers obstruct efforts to utilize career personnel in a way that is both flexible for political managers and constructive for the civil service system. Good working relationships with political appointees are more apt to prejudice than to aid the bureaucrats' status and advancement as career public servants. Constructively using and moving permanent officials is a "hard sell" because bureaucrats recognize that, as one said, their "power base and career is a function of a particular job, or bosses, or relations and support from outside groups."

None of this means that experienced political executives fail to use career personnel as a strategic resource in support of their leadership. Quite the contrary. It is often precisely because institutional means are lacking that top government political executives can commonly go very far in using careerists. The point is that political appointees generally are not interested in the implications of their personal actions for the civil servants' careers, much less for the civil service as an enduring system. In fact there is every incentive for an appointee to "milk" civil servants for his own short-term advantages.

The selective efforts of political executives to use various bureaucrats readily shade into the development of personalized and politicized corteges. Rather than import a mass of outside loyalists or simply manage the capabilities of existing personnel, political appointees frequently nurture their own bureaucratic families of protégés. An assistant secretary described this common approach as follows:

> People you yourself hire are going to be more supportive than anyone else. They can be career guys, but they should be your guys and have primary loyalty to you. For example, Roberts is an excellent career man. I expected little but gave him some things to do and he performed wonderfully after plodding along in [the bureau] for eight years. I got him a promotion from a GS 14 to a 15 and took him with me to [a different agency] and made him a project director. Now he's an office head. That's the kind of person you have to attract and hold with you.

An undersecretary described how inexperienced people in the White House

> were stupidly checking into the party registration of career people. You can sense who in the agency is with you, working late, referring with approval to what you say. These are the guys who you move up rapidly, a GS 15 to a 16 and maybe an

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18 in later years. These career guys tie their job prospects to the political appointee above them and so can succeed or fail spectacularly.

The costs of the tendency for career personnel management to merge into the development of personalized and politized bureaucratic protégés are not felt directly by political appointees, who typically move on to their own private careers. The price is paid by public officials who, although ambitious to move into challenging jobs, wish to retain some identity as career civil servants. Individual careerists can find they have indeed been used—"working your butt off for the guy and ending up as some executive assistant to a political appointee with no career development to show for it." A longtime participant in government described how those associated with a particular political executive can be "exposed, used up, and then become the holdovers and obstructionists for the next appointee to jump on." Of course, some careerists in this system will simply decide for very good reasons to cease being civil servants and to take political appointments. Others will have little choice. As one bright supergrade said: "Since he [the undersecretary] left government and [the assistant secretary] moved to HUD [Housing and Urban Development], I've got no clients for my work."

In a larger sense the real costs of the appointees' haphazard creation of bureaucratic families lie in the denigration of the concept of a career civil service. A well-known political executive went to the heart of the matter in describing the personal cortege that had moved with him between government agencies and the Executive Office of the President:

> In my experience these supergrade types in government compare favorably with almost any group I've seen in the private sector. A guy in his mid-thirties and a GS 15 has got to have a lot of political savvy and good moves. I've carried five of them with me in every job. They're my personal supporters and I look after them. . . . Civil servants identifying with people pose a real problem for the bureaucracy, but it doesn't bother me. It helps me as a political appointee because I can really deal with them. The whole civil service thing is so automated, promotions come automatically, grade-step increases, and pay changes. The only way for these guys to break through this automated system is through personal identification. What should happen if it were operating right is that the system should be throwing upwards and promoting the good, bright guys, not depending on personal identifications with patrons.

There is no need to idealize bureaucrats as "the" public service. Civil service systems are created to institutionalize a limited but important set of values in government. Among these are not simply nonpartisanship and obedience but also (and especially at higher levels) a continuous capacity to offer honest advice and uphold the integrity of government operations. Perhaps an obscure GS 15 said it best: "As the distinction blurs between an institutional career role and personalized loyalty, people start hedging. They hedge their best independent judgments, either so as not to be put into jeopardy of political identification or because once jeopardized they're trying to ingratiate themselves." Using career

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people as a strategic resource may help particular appointees, but it is no real help in establishing the civil service as an instrument of reliable government performance.

Implications

My argument has been that political executives can usually do better by evoking conditional cooperation rather than by invoking their authority. Perceptive appointees from both the Theory X and Theory Y schools of management eventually see that the political executive's real job lies between the extremes of giving orders and of taking cooperation for granted.[9] They learn that political leadership in the Washington bureaucracy is not a task for martinets or presiding officers. For those both tough and sensitive enough, it is a job of managing a pluralistic, changing consensus with limited strategic resources.

In other words, there are no magical management systems or organizational changes for "getting control of the bureaucracy." Reorganization plans or techniques like management by objectives and zero-base budgeting are all executive proclamations that presume rather than create changes in subordinates' behavior. Instituting new management techniques and making them part of the bureaucracy's standard operating procedure lie at the end of statecraft not at the beginning.

In the preceding discussion I have also emphasized selectivity and calculation in dealing with the political resources, opportunities, people, and procedures for building support. This suggests that while would-be political leaders in the executive branch *can* be agents for changing what government is doing, convulsive root and branch changes fall outside the range of everyday statecraft. If political policy calls for revamping most of the major assumptions behind what an agency is doing, there is little point in a political executive appearing on that scene in the guise of a selective strategist who uses a variety of resources for encouraging bureaucrats to terminate their way of life. An entirely new organization will in all likelihood be required. Also needed will be a genuine, widely perceived sense of crisis—an economic disaster, an unambiguous foreign threat, an acknowledged need to "war" on some domestic problem—in order to galvanize the many disparate competitors for attention and agreement in Washington. Without that general sense of alarm, trying to shake up the bureaucracy by appealing to the American people for support simply misses the point.

A desire to capitalize on such opportunities for Big Change can therefore create one of the limits on mutual support between political leaders and bureaucrats. Fortunately for the stability of government institutions, such overwhelm-

[9] It is revealing that the opening quotations in this article, taken from office-holders in a domestic department, compare almost exactly with the lessons drawn by a leading political executive in an organization as different as the State Department. See the extensive quotations and discussion in Donald P. Warwick, *A Theory of Public Bureaucracy* (Cambridge, Mass.: Harvard University Press, 1975), p. 209.

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ing crises seem relatively rare and are short-lived when they do occur. Moreover, once the bright new organization has been created, the familiar imperatives for statecraft reappear with time. These facts, along with the dispersed veto power and shortage of agreement that permeates most of everyday life in Washington, means that no political executive need apologize for working at relationships that are usually based on conditional cooperation with the bureaucracy.

Occasions for Big Change suggest a situation in which the political leaders' demand for performance is more than the bureaucracy can supply. Limits are also set on mutual support when bureaucrats demand more performance than political appointees can supply. Civil servants have their own expectations about what is due from political leaders in their agency. The tenure of officials who wish to remain civil servants but who also allow themselves to be used by political executives is conditional on the executives' own behavior. Appointees need to reduce the risk of added exposure and insecurity for such officials. When trouble develops—something upsets a political superior, the Office of Management and Budget attacks the agency's goals, a congressional committee takes offense—a political appointee who attempts to shift blame to subordinates quickly experiences an evanescence of bureaucrats, protégés or otherwise. As one observed, "The self-preservation instinct blossoms." Careerists involved in executive hearings and consultations expect to be serious participants dealing with issues of substantive importance, not "hacks rationalizing some piece of political propaganda." Officials helping a political executive will expect as their due some clear guidance in advance rather than to have to hope for support later. Since all strategic resources are limited, conditional cooperation breaks down when—for whatever reason—bureaucrats expect more in exchange for their cooperation than political executives are able or willing to provide.

Hence demands from either side can outrun the supply of mutual performance. But conditional cooperation involves more than bureaucrats and executives in their agencies. There are third, fourth, indeed nth parties implicated in the exchanges of executive politics and they too set limits on the degree of cooperation between the appointee and the bureaucrats. A political executive's primary constraint rests in his links to other appointees and political figures. An oft-quoted opinion of a former secretary of state is that "the real organization of government" at higher levels "is how confidence flows down from the President."[10] A similar but broader principle of confidence is at work throughout and across the levels of government. Depending on the political executives' specific allegiances and accidents of selection, their ability to deal with the civil servants below them is limited by their need for live political connections up to political superiors and out to the many sources of external power.

From this perspective it becomes clear why there is much more to the politics of executive branch leadership than simple-minded assertions about a natural

[10] Dean Rusk, quoted in Morton H. Halperin, *Bureaucratic Politics and Foreign Policy* (Washington, D.C.: The Brookings Institution, 1974), p. 219.

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animosity between presidents who long to control their administrations and parochial cabinet officers who love to be captured as departmental advocates. The fact is that requirements for statecraft in the agencies do not fit well with political prudence as seen from behind the White House gates. A president marshaling his power stakes expects to advance when there is credit to be had and withdraw as losses grow. When unpopular actions have to be taken in a government agency, his political appointees there should be hustling into the trenches of frontline support, not picking and choosing their advantages. After all, does not the President's generalship consist of using the strength of others and conserving his own? Bureaucratic politics contemplates quiet, behind-the-scenes workmanship, strategic reversals, caution, contentment with results for which everyone can share some of the credit. Presidential politics mobilizes its vital resources with the public by taking all the credit for dramatic, readily intelligible actions: big cuts, major new programs, flashy changes. Why, when the President has staked his reputation on getting something done in government, are his political executives reaching for the rapier instead of the bludgeon?

Executives in the agencies may argue that their achievements with the bureaucracy reflect favorably on the President, but to those in the White House reflected glory may not be enough. Why not? Because a political executive's selection of goals and areas of indifference may not be what the President wants or would want if he could know what goes on throughout government; because to build support in the bureaucracy invites more delay and compromise; and because the people an executive uses may become his people but not necessarily presidential supporters. In these and many other ways an unconstrained use of his strategic resources may help a political executive with the bureaucracy but leave him vulnerable to the President's "true" supporters in the White House. Yet the more detached, broadly presidential view an executive takes of his agency, the more difficult it becomes to acquire support from its officials below and clients outside.

Hence the tensions of political leadership in its presidential and executive department guises are inherent. Being unavoidable, they suggest their own lesson for presidents: prudence for any president interested in the problem of controlling the bureaucracy consists in trying to use the inevitable tensions with his executives constructively, not in trying to eliminate or drive these tensions underground with simplistic notions of cabinet government and unified executive teamwork.

However, the implications of the preceding analysis go much further than the presidency. People in government can and do manage without conditional cooperation at the political-bureaucratic interface. When political appointees have little sense of direction or statecraft, the failure to establish a constructive working relationship with higher civil servants may be inconsequential, except that the bureaucracy is left freer to pursue its own agenda. Experienced bureaucrats become quite expert at helping themselves in the Washington scramble.

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Similarly, some political managers may feel no great loss if the careerists with whom they fail to build working relations have few analytic or administrative capabilities to offer or withhold; they become adept at creating their own personal teams in place of career civil servants. Appointees and bureaucrats can and do try to compensate for each other's inadequacies.

As each side maximizes its own convenience in this way, the overall quality of American democratic institutions is likely to decline. It is no consolation that appointees and top bureaucrats can compensate for having little that is worth exchanging with each other. If officialdom and professional specialists can get along very well despite an absence of political leadership above them, that should not reassure citizens who expect government bureaucracies to be guided by publicly accountable and removable political representatives. Likewise, political executives may manage without the institutionalized knowledge, continuity, and impartiality that government civil services are created to supply. That, too, is little consolation since the real strength of government machinery in a democracy is its ability to serve effectively, not just one particular set of political leaders, but any succession of leaders with a legitimate popular mandate. If democratic government did not require bureaucrats and political leaders to need each other, it might not matter so much when in practice they discover they do not.

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Contemporary Supreme Court Directions in Civil Liberties

ROBERT J. STEAMER

During the past five years scores of lawyers, political scientists, and news reporters have tried their hands at analysis of what we call, for want of a more accurate term, the Burger Court. More frequently than not, what comes through is an angry and apocalyptic tone. For many of the commentators, no news from the Burger Court is good news.[1] Judicial decision making, for the contemporary critics, is akin to sailing in a boundless and bottomless sea; there is neither harbor for shelter nor floor for anchorage, neither starting place nor appointed destination.[2] Essentially, current literature is concerned with measuring the degree of erosion that the new cases inflict upon the edifice erected in the Warren years, as if the Warren construct were the ideal and should not be sullied by the tainted hands of Burger, Blackmun, Rehnquist, and Powell—and a Stevens come lately. We now have about 700 full opinions to view since Earl Warren retired, and although the professional and popular journals run to more than a million words on the subject, one can still take refuge in the advice of Justice Holmes who said that "we frequently need better understanding of the obvious rather than further investigation of the obscure."

First, the Burger Court is more like than unlike the Warren Court; second,

[1] Francis A. Allen, "Supreme Court Review (1975)," *Journal of Criminal Law*, 66 (1975), 391. A notable exception to the hostile critics is Alpheus Thomas Mason, "The Burger Court in Historical Perspective," *Political Science Quarterly*, 89, no. 1 (March 1974), 27.

[2] This is a transposition of Michael Oakshott who used the phrase to apply to political activity generally, but for many observers the words fit the current judiciary.

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the Court has tended under both Chief Justices Warren and Burger to override legislative judgments rather casually and with a minimum of constitutional proof; third, where the two Courts differ in decision, the present Court has, as often as not, taken a sensible position; and finally, in those areas of individual liberty which we rightly hold crucial to a democratic society, the Court has sometimes sounded more like a Tower of Babel than an articulate and consistent guiding force.

But before looking at some of the substantive areas of current judicial attention, we need to deal with the question of "access to the courts," that catch phrase which suggests to many of the Court's critics that it is presently more difficult for citizens to enter the federal courts than it is for the proverbial rich man to enter the kingdom of heaven. The suggestion has some basis in fact, but courts must, as they always have, use discretion in deciding which cases deserve a full hearing. The hostile critics take their cue, first from the public pronouncements of the chief justice himself, and second from some recent decisions which have in some instances turned a deaf ear to alleged violations of rights.

Access to the Supreme Court

On January 3, 1976 Chief Justice Burger issued his annual report in which he pointed out that the Supreme Court faces a caseload almost four times as heavy as that which confronted the Court in the 1920s and 1930s, and that as recently as 1953–1955, the first three years of Chief Justice Warren's tenure, the Court averaged 91 full opinions a year. In the past three years the annual average has been 134. He suggested that Congress take two steps which would indeed, cut down access: (1) abolish the remaining category of three-judge federal district courts, thus eliminating direct appeals from them to the Supreme Court;[3] and (2) transfer all diversity of citizenship cases to the states, thus cutting 20 percent of the caseload of the federal trial judges. Although the chief justice is ostensibly saying that the Supreme Court cannot handle the press of litigation, his remarks in other respects indicate an attitude which organizations like the American Civil Liberties Union deplore. He said, for example, that most of the

[3] The Ninety-third Congress enacted two pieces of legislation which discontinued the use of the three-judge federal court machinery in specified areas. One abolished the right of the Attorney General to convene a three-judge court under the old Expediting Act of 1903 (Antitrust Procedures and Penalties Act, 88 Stat. 1706, P.L. 93–528, December 21, 1974). The second amended the Judical Review Act of 1950, the effect of which is to place the bulk of Interstate Commerce Commission litigation in the courts of appeals rather than in three-judge district courts (88 Stat. 1917, P.L. 93–584). The Ninety-fourth Congress repealed Sections 2281 and 2282 of Title 28 of the U. S. Code which had respectively required a three-judge court in cases involving injunctions against enforcement of state and federal statutes, but the law amended Section 2284 to permit three-judge courts in suits challenging the constitutionality of apportionment of congressional or state legislative districts (P.L. 94–381, 94th Cong., S537).

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19,000 petitions from prisoners could be handled effectively and fairly within the prison system. "Federal judges," Burger declared, "should not be dealing with prisoner complaints which . . . are so minor that any well-run institution should be able to resolve them fairly without resort to federal judges."[4] The chief justice has also been a strong supporter of the Hruska Commission Report, now U. S. Senate Bill S2762, introduced by Senator Roman Hruska on December 10, 1975, which would create a National Court of Appeals with two types of appellate jurisdiction. It would decide appeals referred to it by the Supreme Court and appeals transferred to it by the regional courts of appeals. The issue of this novel addition to the federal judiciary has been hotly debated, and those who oppose it, including former Chief Justice Earl Warren,[5] maintain that the scheme is another means of denying access to the Supreme Court.

One can cite several instances of this past term in which individuals who were denied relief might, according to the Court's critics, have obtained it during those open Warren years. In *Rizzo* v. *Goode*[6] the Court reversed a district judge who, on the basis of citizens' complaints against the police department, had ordered city officials to come up with a comprehensive plan for dealing with the problem. The majority argued that a pervasive pattern of intimidation had not been established, nor was there a strong enough link between the city officials who were the defendants and the police officers who had allegedly violated citizens' rights. Perhaps a more telling argument was the majority's emphasis on keeping the insulation between the states and the federal government. Said Justice Rehnquist: "Federal courts must be constantly mindful of the special delicacy of the adjustments to be preserved between Federal equitable power and state administration of its own law."

Coming under the rubric of "denial of access" were several other cases during the 1975–1976 term which support the thesis that it is not as easy to obtain relief in the Supreme Court as it used to be. Charles Edward Davis III was told that he had no grounds for a federal suit against the police after they had included his name and picture on a list of "active shoplifters" to be distributed to merchants. Davis had once been arrested for shoplifting but had not been prosecuted. Reputation, said the Court, is not included in life, liberty, or property and, therefore, deprivation of same without due process is not a constitutional violation.[7] In a similar vein the Court ruled unanimously that state prosecutors have

[4] "Chief Justice Burger Issues Yearend Report," *American Bar Association Journal*, 62 (1976), 190.

[5] See Earl Warren, "A Response to Recent Proposals to Dilute the Jurisdiction of the Supreme Court," *Loyola Law Review*, 20 (1974), 221. See also Luther M. Swygert, "The Proposed National Court of Appeals: A Threat to Judicial Symmetry," *Indiana Law Journal* 51, (1976), 327; Jack B. Owens, "The Hruska Commission's Proposed National Court of Appeals," *UCLA Law Review*, 23 (1976), 580; and Nathaniel L. Nathanson, "Proposals for an Administrative Appellate Court," *Administrative Law Review*, 25 (1973), 85.

[6] 423 U.S. 362 (1976).

[7] *Paul* v. *Davis*, 424 U.S. 693 (1976).

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absolute immunity against civil rights suits based on a prosecutor's knowing use of perjured testimony.[8]

The present Court is also determined to narrow collateral attacks on prior convictions through the *habeas corpus* jurisdiction, an avenue to the Supreme Court that was wide open during the Warren years. In 1973 Justice Powell, concurring in *Schneckloth* v. *Bustamonte*[9] suggested that search and seizure claims under collateral review should be carefully circumscribed. During the 1975 term the Court followed Justice Powell's dictum and concluded that where the state has provided an opportunity for full and fair litigation of a Fourth Amendment claim, a state prisoner may not be granted federal *habeas corpus* relief on the ground that evidence obtained in an unconstitutional search or seizure was introduced at his trial.[10] Another reduction in the *habeas corpus* jursidiction came last year when the majority held that a state prisoner who failed to make a timely challenge to the composition of his indicting grand jury could not raise the exclusionary rule after conviction through the *habeas corpus* route.[11] Now the Court had extended to the states what it had earlier held applicable to federal criminal proceedings.[12] It should be noted that the Court did not overrule *Fay* v. *Noia*,[13] a landmark of the Warren era, and thus did not foreclose all postconviction challenges on *habeas corpus* to unfair treatment at the state level.

Certainly other examples of the current attempt to limit access are available on a detailed examination of the reports,[14] and undoubtedly there is a concerted effort on the part of Chief Justice Burger and the majority who agree with him, to cut down the litigation that eventually reaches the Court's docket. It seems doubtful, however, that the actual number of cases the Supreme Court decides each year will drop significantly below the current output. The issue, therefore, is a substantive one of letting some people in while keeping others out, and what the old Warren supporters appear to deplore is that the wrong people are being let in while the right people are being kicked out. One might suggest facetiously that it is all a matter of likes and dislikes. The Warren Court liked criminals, minorities, and people who wear sweatshirts with four-letter words on them. It did not like the police, prosecuting attorneys, or draft card burners. The Burger Court likes the police (although not enough to permit them to wear long hair), welfare people, Indians, women, and drug stores. The Burger Court also likes wild jackasses, prefers them in fact to people, on the basis of its ruling upholding the Wild Free-Roaming Horses and Burros Act against all

[8] *Imbler* v. *Pachtman*, 424 U.S. 409 (1976).
[9] 412 U.S. 218 (1973).
[10] *Stone* v. *Powell*, 96 S. Ct. 3037 (1976).
[11] *Francis* v. *Henderson*, 425 U.S. 536 (1976).
[12] *Davis* v. *United States*, 411 U.S. 233 (1974).
[13] 372 U.S. 391 (1963).
[14] See, for example, *Butler* v. *Dexter*, 425 U.S. 262 (1976); *Bellotti* v. *Baird*, 96 S. Ct. 2857 (1976); *New York Civil Service Commission* v. *Snead*, 425 U.S. 457 (1976).

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human attacks. The Burger Court dislikes prisoners, shoplifters, pushcart dealers, homosexuals, and human fetuses during the first three months of gestation.

Undoubtedly the Burger Court is changing the composition of its clientele, but the change is relatively slight. It is moving away from a few areas, but moving into others, and its stand on access warrants two observations. First, the Burger majority is attempting to find a way to restrict certain litigation to the state level or to contain it in the federal courts of appeals. There is nothing pernicious about this so long as the highest tribunal is open to those cases where the alleged violation of a constitutional right is real and substantial and not technical. Second, the Court is attempting to separate the significant from the trivial. In effect, it is saying it should not be spending precious time in deciding whether a policeman has a right to wear a mustache. The Constitution says nothing about it, and a good case can be made for the Court's not entering disputes of such a low constitutional threshold. It is difficult to understand how we ever got into this condition in which every personal desire is turned into a right, but perhaps it is time the Court called a halt. Those who fail of access to the Supreme Court can take heart in the words of Dumbey in Lady Windemere's Fan, "In this world there are only two tragedies. One is not getting what one wants and the other is getting it."

Substantive Areas

Our purpose here is not to analyze all possible issues of public law, but to highlight those areas of primary significance. Although there are some hairline cracks in the structures built on the great Warren legacies of *Brown*[15] and *Baker* v. *Carr*,[16] they are primarily in the superstructure and not in the foundation. Certainly the Burger Court has gone the last mile in school desegregation with a series of decisions beginning with *Swann*,[17] and in the 1976 case of *Hills* v. *Gautreaux*[18] it has creatively reaffirmed *Jones* v. *Alfred Mayer Co.*[19] The early reapportionment cases have been subject to some modification, but there has been no repudiation of the fundamental principle involved. We should concentrate, therefore, on three areas, the first of which, criminal procedure, exemplifies the most clearly identifiable departure from the immediate past. The other two, freedom of speech and substantive equal protection, are more or less extensions of prior doctrines into new areas.

Criminal Procedure

What was referred to during the Warren years as a revolution in criminal justice was essentially the gradual nationalization of procedural guarantees within the

[15] *Brown* v. *Board of Education*, 347 U.S. 483 (1954).
[16] 369 U.S. 186 (1962).
[17] *Swann* v. *Charlotte-Mecklenburg Board of Education*, 402 U.S. 1 (1971).
[18] 425 U.S. 284 (1976).
[19] 392 U.S. 409 (1968).

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Bill of Rights. While never attaining unanimity on the Warren Court, the principle of applying the first eight amendments of the Constitution to the states through the due process clause of the Fourteenth Amendment (with minor exception) is so solidly imbedded in American public law that no future Supreme Court will alter that concept. Beyond that, however, were two additional doctrines of the 1960s, exemplified in the *Miranda*[20] and *Mapp*[21] cases. The *Miranda* rule has been modified although not overturned, and the *Mapp* decision, which applied the old evidentiary exclusionary rule of *Weeks* v. *U. S.*[22] to the states, has been taking a beating. Although *Miranda* was qualified in *Harris* v. *New York*, [23] *Michigan* v. *Tucker*,[24] *Oregon* v. *Hass*,[25] and *Michigan* v. *Mosley*,[26] it still retained considerable vitality in 1976 as is evidenced by the Court's overturning convictions in *Brown* v. *Illinois*, [27] *U. S.* v. *Hale*,[28] and *Doyle* v. *Ohio*.[29] In *Brown* the defendant had been arrested unlawfully, and although given his *Miranda* rights, subsequently made incriminating statements to the police. Justice Blackmun, speaking for the Court, declared that the Illinois courts were in error in assuming that the *Miranda* warnings, by themselves, always purge the taint of an illegal arrest. The *Hale* and *Doyle* cases taken together held that a state prosecutor may not seek to impeach a defendant's exculpatory story, told for the first time at trial, by cross-examining the defendant about failure to have told the story immediately after receiving *Miranda* warnings. Yet the Court held just a few months ago that a witness before a grand jury, though possibly engaged in some criminal enterprise, is not entitled to *Miranda* warnings.[30] He can, of course, invoke the privilege of self-incrimination. Given the

[20] 384 U.S. 436 (1966).

[21] *Mapp* v. *Ohio*, 367 U.S. 643 (1961).

[22] *Weeks* v. *United States*, 232 U.S. 383 (1914).

[23] 401 U.S. 222. In *Harris* the Court upheld the admission of evidence at trial, taken without Miranda warnings solely to impeach the defendant's credibility.

[24] 417 U.S. 433. In *Tucker* the Court upheld the admission of testimony given by a witness who had made incriminating statements about defendant Tucker. Tucker had given the police the name of the witness prior to having been told of his right to have counsel provided by the state if he could not afford one. In all other respects Tucker had been informed of his rights prior to interrogation.

[25] 420 U.S. 714 (1975). In *Hass* the Court approved the admission of evidence for impeachment purposes of a suspect who had been given full Miranda warnings while on the way to the police station, was told he could not see a lawyer until he reached the station, and then made the inculpatory statements prior to consulting with an attorney.

[26] 423 U.S. 96 (1975). The Court held admissible incriminating statements made by the suspect who, after having been given Miranda warnings, elected to remain silent, but then, after having been told of his rights two hours later by a second detective, made the inculpatory statement.

[27] 422 U.S. 590 (1975).

[28] 422 U.S. 171 (1975).

[29] *Doyle* v. *Ohio*, 96 S. Ct. 2240 (1976).

[30] *United States* v. *Mandujano*, 425 U.S. 564 (1976). The rule of this case was that Miranda rulings need not be given to a grand jury witness who was called to testify about criminal activities in which he might have been personally involved, and consequently his false state-

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fact that Justices Stewart and White were in vigorous dissent in the original *Miranda* case, it is amazing that the rule retains as much vitality in 1976 as it does. True, it has been qualified; but it has definitely not been repudiated. The law of searches and seizures, however, is another matter.

On the Burger Court it was Justice Black who first criticized the exclusionary rule in his dissent in *Whiteley* v. *Warden*[31] in 1971 when he suggested that the Fourth Amendment "does not expressly command that the evidence obtained by its infraction should always be excluded from proof." In the same year Justice White in his plurality opinion in *U. S.* v. *White*[32] echoed a similar sentiment, but the first major assault on the principle came in *Bivens* v. *Six Unknown Federal Agents*[33] by the chief justice. While excoriating the exclusionary rule as "inflexible," "rigid" and "an anomalous and ineffective mechanism," the chief justice nevertheless did not advocate the overruling of *Weeks* and *Mapp*, but instead, endorsed a statutory remedy analogous to the Federal Tort Claims Act, as a substitute for excluding illegally seized evidence in a criminal trial. While not abandoning the exclusionary rule totally, a majority led by Burger has, since 1973, made it clear that the rule has passed its high-water mark. The rule does not apply to evidence submitted to a grand jury,[34] nor does it forbid the use in a federal civil proceeding of evidence obtained illegally by state or local police and vice versa;[35] nor may *habeas corpus* relief be granted on the ground that a state submitted illegally seized evidence at a defendant's trial.[36] Moreover, the Burger Court has held that the validity of voluntary consent to a search must be determined from the totality of the circumstances, the *Miranda* principle of a knowing and intelligent waiver not being applicable.[37] The Court has also ruled that a person's papers may be seized even when they contain self-incriminating material.[38] Although this is a sharp departure from the Warren years, it is not out of phase with past search and seizure doctrine. In fact, some of the cases have the familiar ring of the Vinson years.[39] The Fourth Amendment is one of the most ambiguous clauses in the Constitution, and its application over a century and a half has been one of vacillation between tightening and loosening restraints on the police. The Burger majority believes that the exclusionary rule does not effectively deter the police, but

ments made to a grand jury did not have to be suppressed in a perjury prosecution based on such statements.

[31] 401 U.S. 560 (1971).

[32] 401 U.S. 745 (1971).

[33] 403 U.S. 388 (1971).

[34] *United States* v. *Calandra*, 414 U.S. 338 (1974).

[35] *United States* v. *Janis*, 96 S. Ct. 3021 (1976).

[36] *Stone* v. *Powell*, 96 S. Ct. 3037 (1976).

[37] *Schneckloth* v. *Bustamonte*, 412 U.S. 218 (1973).

[38] *Andresen* v. *Maryland*, 96 S. Ct. 2737 (1976).

[39] See for example: *Harris* v. *United States*, 331 U.S. 145 (1947); *United States* v. *Rabinowitz*, 339 U.S. 56 (1950); *Davis* v. *United States*, 328 U.S. 582 (1946); and *Zap* v. *United States*, 328 U.S. 624 (1946).

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simply permits the guilty to go free on a technicality. The rule will no longer be applied automatically unless the police have engaged in either willful or negligent wrongdoing, and it may not be unreasonable to permit a good faith defense against the exclusionary rule where police conduct is only a technical violation of the Fourth Amendment. The justices are not favorably disposed toward prophylactic rules but will look at each case to determine whether there is an injustice. In the immediate future one would expect a diminishing of requirements of probable cause for arrest and search, a more widespread use of the doctrine of harmless error, a greater emphasis on reliable evidence, and a curtailment of collateral attacks in Fourth Amendment cases.

Even with this antilibertarian stance in Fourth Amendment cases, however, the Supreme Court under Burger has upheld a substantial number of claims by criminal defendants.[40] It is this Court, moreover, that has required stringent rules surrounding the death penalty,[41] has extended the right to counsel to all infractions of the law, not simply felonies,[42] and has required a hearing before a parolee may have his parole revoked.[43] In sum, the Burger Court has subjected some of the great Warren decisions to severe restrictions, has refused to extend others, but has overruled none outright. It is wise to recall, however, that the Warren opinions in criminal procedure were bitterly criticized by a vocal minority of four in his own Court, and they were, thus, the most fragile of all his judicial creations.

Equal Protection and Due Process

We need not make any invidious comparisons between the Burger Court and its immediate predecessors when we discuss the broad clauses of the Fourteenth Amendment, for in these areas the chief justice and his flock have made changes only in degree but not in kind. The equal protection and due process clauses are potentially the most unrestrictive and indeterminate in the Constitution, and the present Court has extended the line of cases in both areas to embrace every point of contact between the individual and his government. What

[40] *Faretta* v. *California*, 422 U.S. 806 (1975), the right to self-representation at trial; *Mullaney* v. *Wilbur*, 421 U.S. 684 (1975), once the prosecution establishes the fact of an intentional killing, proof that no malice aforethought existed may not be required of the defense; *Gerstein* v. *Pugh*, 420 U.S. 103 (1975), the Fourth Amendment is violated when the defense is denied a probable cause hearing following a warrantless arrest; *United States* v. *Ortiz*, 422 U.S. 891 (1975), immigration officials may not search automobiles at checkpoints without probable cause; *Breed* v. *Jones*, 421 U.S. 519 (1975), the double-jeopardy clause is fully applicable to juvenile court proceedings; *Geders* v. *United States*, 425 U.S. 80 (1976), the government's prohibiting the accused from consulting with his lawyer during a recess between direct and cross-examination violates the guarantee of the right to counsel.

[41] *Furman* v. *Georgia*, 408 U.S. 238 (1972); *Gregg* v. *Georgia*, 425 U.S. 80 (1976); *Proffitt* v. *Florida*, 96 S. Ct. 2960 (1976); *Jurek* v. *Texas*, 96 S. Ct. 2950 (1976); *Roberts* v. *Louisiana*, 96 S. Ct. 3001 (1976); and *Woodson* v. *North Carolina*, 96 S. Ct. 2978 (1976).

[42] *Argersinger* v. *Hamlin*, 407 U.S. 25 (1972).

[43] *Morrissey* v. *Brewer*, 408 U.S. 471 (1972).

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the Court has created is a suborder of liberties which have no ascertainable reference points, a state of affairs that provokes the question: "To what extent can the Supreme Court insist upon adherence to constitutionally inspired, but not compelled rules without considering whether the state has provided a minimally satisfactory alternative?"[44] To paraphrase Justice Cardozo, this is constitutional implementation run riot.

The equal protection clause does not describe what interest is protected, and although historically Court rhetoric suggests that the clause protects equality through the application of "equal laws," it cannot guarantee that every law shall apply equally to every person since all law classifies persons for the purpose of bestowing burdens or benefits. At a minimum, equal protection demands that the law provide adequate, and at a maximum identical, treatment of all persons, but in practice the limits of equal protection lie somewhere in between. Today the Court moves uncomfortably among three analytically separate limitations which have become a part of the equal protection gloss. First, the Court has characterized some legislative classifications as "suspect" and, therefore, subjects them to a "strict scrutiny" test. Within this framework the Court has held that legislative classifications which burden constitutionally protected rights are invalid unless it can be shown that the restriction advances a "compelling" state interest and that a less burdensome classification would not adequately serve the governmental purpose. Second, the Court has held that legislation may be invalid when a classification contained therein is not rationally related to a valid state purpose. Here the Court is returning to the old 1930s postulate that a law may not classify persons in an unreasonable, arbitrary, or capricious manner, all of these being subjective value words to be defined by the Supreme Court. A third test which the Court has used with little predictability to nullify legislative classifications or to invalidate laws under the due process clause for want of fair procedures is the "irrebuttable presumption" doctrine. The idea here is to find a requirement stated without exceptions, as in the case of *Cleveland Board of Education* v. *LaFleur*[45] in which the Court invalidated a law providing that all pregnant school teachers must quit teaching before the beginning of the fifth month of pregnancy. Since not *all* teachers in the fifth month of pregnancy are subject to the evil aimed at by the law—diminished capacity to teach causing discontinuity of instruction—to impose the rule without a hearing creates an irrebuttable presumption. Adding to the confusion in standards for equal protection is Justice Marshall's approach which is a flexible balancing of interests test, used in his dissent in *Dandridge* v. *Williams* in 1970.[46] The balancing test achieved majority status for a short period in 1972 in *Weber* v. *Aetna Casualty & Surety Co.*,[47] in which Justice Powell

[44] Henry P. Monaghan, "The Supreme Court—1974 Term, Forward: Constitutional Common Law," *Harvard Law Review*, 89 (1975), 9.

[45] 411 U.S. 632 (1974).

[46] 397 U.S. 471 (1970).

[47] 406 U.S. 164 (1972).

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authored the Court's opinion, and in *Dunn* v. *Blumstein*[48] in which Justice Marshall was the majority's spokesman.

The specific rationale used by the justice who writes the opinion in any given equal protection case usually determines the outcome in advance. The "strict scrutiny" standard has been so rigorous that virtually no legislation could pass muster. On the other hand the "rational basis for a valid state purpose" comports with a judicial propensity to justify the law in question. Among those classifications which the Court labels "suspect" and therefore an interference with fundamental rights are race,[49] national origin,[50] alienage,[51] and illegitimacy.[52] Among those rights which have been held "fundamental" are the right to travel,[53] to procreate,[54] and the right to marital privacy including a qualified right to abortion.[55] Held not fundamental are rights to welfare,[56] housing,[57] a discharge in bankruptcy,[58] wealth and education.[59] In holding that education was not a fundamental right, Mr. Justice Powell declared that fundamental interests were limited to "rights explicitly or implicitly guaranteed by the Constitution." One presumes that by explicit rights Justice Powell meant such categorical imperatives as freedom of speech and press, the right to counsel or the right against self-incrimination. They are explicit in language, although much can be and has been inferred from those ringing guarantees. "Due process" and "equal protection" however, are open textured in the extreme

[48] 405 U.S. 370 (1972).

[49] The principle applies to whites as well as blacks and other racial minorities. See *McDonald* v. *Santa Fe Transportation Co.*, 96 S. Ct. 2574 (1976). The Court has not yet dealt with the trickier question of affirmative action, or temporary preferential treatment to make up for a history of invidious discrimination. Straws in the wind may be the rulings in *Pasadena City Board of Education* v. *Spangler*, 96 S. Ct. 2697 (1976) which held that once a federal district court approves a plan designed to acquire racial neutrality in school attendance, it need not order the school district to rearrange its attendance zones each year in order to attain a racial mix in perpetuity; and *Washington* v. *Davis*, 96 S. Ct. 2040 (1976) which upheld a verbal test for applicants for the police force even though it excluded a disproportionate number of blacks.

[50] *Korematsu* v. *United States*, 323 U.S. 214 (1944).

[51] *Graham* v. *Richardson*, 403 U.S. 365 (1971).

[52] *Jimenez* v. *Weinberger*, 417 U.S. 628 (1974); *New Jersey Welfare Rights Organization* v. *Cahill*, 411 U.S. 619 (1973); *Gomez* v. *Perez*, 409 U.S. 535 (1973); *Weber* v. *Aetna Casualty & Surety Co.*, 406 U.S. 164 (1972); *Levy* v. *Louisiana*, 391 U.S. 68 (1968); *Glona* v. *American Guarantee & Liability Insurance Co.*, 391 U.S. 73 (1968). In *Labine* v. *Vincent*, 401 U.S. 532 (1971) and *Mathews* v. *Lucas*, 96 S. Ct. 2755 (1976) the Court upheld some restrictions on illegitimate children in the Social Security regulations.

[53] *Dunn* v. *Blumstein*, 405 U.S. 330 (1972); *Shapiro* v. *Thompson*, 394 U.S. 68 (1969).

[54] *Skinner* v. *Oklahoma*, 316 U.S. 535 (1942).

[55] *Griswold* v. *Connecticut*, 381 U.S. 479 (1965); *Roe* v. *Wade*, 410 U.S. 113 (1973).

[56] *Dandridge* v. *Williams*, 397 U.S. 471 (1970).

[57] *Lindsey* v. *Normet*, 405 U.S. 56 (1972).

[58] *United States* v. *Kras*, 409 U.S. 434 (1973).

[59] *San Antonio Independent School District* v. *Rodriguez*, 411 U.S. 1 (1973).

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and the extent to which these clauses are used to create rights depends upon the majority's view of its role in the American system.

The current attempt to articulate a satisfactory rationale for the result reached in cases alleging sex discrimination exemplifies the lack of any coherent judicial doctrine. Is sex a suspect classification? Yes and no. Since the decision in *Reed* v. *Reed*[60] in 1971 the Burger Court has moved with little sense of direction from one position to another. In *Reed* when the Court invalidated a law giving preference to males over females as administrators of estates intestate, it appeared to treat female sex as a suspect classification, and two years later in *Frontiero* v. *Richardson*,[61] in striking down the federal statute which automatically qualified male servicemen for certain benefits, but excluded females, the Court relied upon *Reed* in holding the classification to the "strict scrutiny" doctrine. But since 1973 the Court has waffled as it upheld some sex classifications but struck down others.[62] It is not an easy area because of natural differences.

If we analyze judicial voting behavior in the equal protection area we see Justices Brennan and Marshall, occasionally joined by White, adhering to "strict scrutiny." Chief Justice Burger and Justices Powell, Stewart, and Blackmun fairly consistently adhere to the "rational relationship" principle, and in those instances in which the government can make a strong case, they will vote to uphold the law and will be joined by Rehnquist who tends to give minimal support to equal protection claims generally. Just a few months ago the Court was urged to treat "age" as a suspect classification but declined to do so when it used the "rational basis" standard to uphold a Massachusetts law providing for mandatory retirement of state police officers at the age of fifty.[63]

Whither the Burger Court on equal protection? It is axiomatic that the Fourteenth Amendment was intended to prohibit all legislation that placed special burdens on the black race, and any laws which fall into that category are automatically suspect by the present Court. In fact the Burger Court has just em-

[60] 404 U.S. 71 (1971).

[61] 411 U.S. 677 (1973).

[62] The differing views among the justices were apparent in the various opinions in *Frontiero*. Then came *Kahn* v. *Shevin*, 416 U.S. 351 (1974), upholding a Florida law giving widows but not widowers a property tax exemption (rational distinction); *Geduldig* v. *Aiello*, 417 U.S. 484 (1974) upholding a California law providing disability benefits to employees not covered by Workmen's Compensation, but excluding pregnancy along with other disabilities (rational distinction); *Schlesinger* v. *Ballard*, 419 U.S. 498 (1975) upholding a federal statute giving women twice passed over for promotion a guarantee of thirteen years of service while providing mandatory discharge for men (rational distinction); *Weinberger* v. *Wiesenfeld*, 420 U.S. 636 (1975), striking down section of Social Security Act granting survivors' benefits to widows and children but not to widowers (no compelling governmental interest); *Stanton* v. *Stanton*, 421 U.S. 7 (1975), striking down a Utah law which cuts off parental support payment to girls at age 18 but to boys at 21 (irrational distinction).

[63] *Massachusetts Retirement Board* v. *Murgia*, 96 S. Ct. 2562 (1976).

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phatically extended the concept of state action and the frontiers of constitutional rights for blacks beyond previous limits by interpreting Section 1981 of the U. S. Code as outlawing racial segregation in private commercially operated, nonsectarian schools.[64] Extending protection against arbitrary legislation to nationality appears to be a natural and acceptable reach of the Fourteenth Amendment, and the Court's position is indisputably firm in having done so. In all other areas of equal protection, however, there is a total lack of consistency. And "inconsistency in judicial decision is a sign that a legal standard is either deficient or absent, and that a court, acting creatively, is embarked upon a policy formation process without the aid of the legislative mechanism."[65] The fact is that the Burger Court, like its immediate predecessor, has attempted to create rights under the aegis of equal protection and due process, and it has not been able to anchor them with reasoning which makes sense to the intelligent body politic. The chief justice's maxim that if it does not make sense, it is not good law, needs sharper application to the Fourteenth Amendment cases.

Freedom of Speech and Press

Tinsley Yarbrough in his superb, thoroughgoing analysis of the Burger Court and freedom of expression concludes that a majority has given the "fighting-words" exception to free speech a narrow construction, has required a showing of "substantial" overbreadth in cases involving facial review of statutes regulating communicative conduct rather than pure speech alone, has attempted to tighten up the obscenity standard, and has narrowed the concept of the public forum advanced by the Warren Court.[66] Professor Yarbrough wrote the article prior to the appointment of Justice Stevens and before the 1975 term, but he suggested that the appointment of one more "strict constructionist" to the Court might produce a virtual moratorium on facial review and a more expansive application of the *Chaplinsky* exceptions to free speech in scurrilous language cases.[67] Although not yet crystal clear, the Stevens appointment appears to be in the "strict constructionist" mold, and the Yarbrough predictions may be validated. In the single majority opinion which Justice Stevens wrote in a free speech context, *Young* v. *American Mini Theatres*,[68] he indicated that: "the sovereign's agreement or disagreement with the content of what a speaker has to say may not affect the regulation of the time, place, or manner of presenting the speech." Yet, Stevens continued, whether or not speech is protected depends on its content if it incites to crime or violence. He then wrote the opinion upholding

[64] *Runyon* v. *McCrary*, 96 S. Ct. 2586 (1976).

[65] Robert G. Dixon, "The 'New' Substantive Due Process and the Democratic Ethic: A Prolegomenon," *Brigham Young University Law Review* (1976), 71.

[66] Tinsley E. Yarbrough, "The Burger Court and Freedom of Expression," *Washington and Lee Law Review*, 33 (1976), 37.

[67] Ibid., p. 90.

[68] 96 S. Ct. 2440 (1976).

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Detroit's ordinance regulating the location of adult theatres and book stores, declaring that a state may not totally suppress these materials, but may legitimately use their content as a means of regulation. A telling phrase in Stevens' opinion was this: "But few of us would march our sons and daughters off to war to preserve the citizen's right to see 'Specified Sexual Activities' exhibited in theaters of our choice." This opinion suggests that Justice Stevens may well join the judicial conservatives in making up a majority of five in cases involving scurrilous language, symbolic speech, and "speech plus." In this instance Justice Blackmun joined with Justices Marshall and Brennan to support Justice Stewart's dissent which characterized the Detroit ordinance as prior restraint.

Probably the 1976 case most supportive of the Yarbrough analysis is *Hudgens* v. *N.L.R.B.*[69] which overruled *Logan Valley*[70] and knocked out a prop (admittedly a shaky one from the beginning) of the Warren construct. Since there were only two dissenters, for the foreseeable future the law is settled that a person does not have a First Amendment right to enter a privately owned shopping center for the purpose of distributing handbills or advertising a strike, and the public forum has indeed been narrowed. Another forum was virtually foreclosed when the Court held that a person has no generalized constitutional right to make political speeches or to distribute leaflets on a military reservation.[71] And although *Buckley* v. *Valeo*[72] should be the subject of an article in itself, the question of restraining the *quantity* of speech is a major one since it cannot be completely divorced from limitations on quality, and quantity was restricted by *Buckley* when it sustained the ceiling on campaign contributions.

But if there were several anti-First Amendment decisions, they were counterbalanced by a proportionate number of pros. Violative of freedom of speech are political patronage dismissals[73] and prohibitions against drug advertising[74] (both constitutional firsts). In 1975 the Court held that the state of Virginia could not prohibit a newspaper from taking ads that disseminated information about obtaining abortions,[75] nor could a state coerce a newspaper into granting equal space to a candidate for public office who had been subject to a critical attack by the paper.[76] And in the *Erznoznik* case[77] the majority held invalid a

[69] 424 U.S. 507 (1976).

[70] *Amalgamated Food Employees Union Local 590* v. *Logan Valley Plaza, Inc.*, 391 U.S. 308 (1968).

[71] *Greer* v. *Spock*, 424 U.S. 828 (1976).

[72] 424 U.S. 1 (1976).

[73] *Elrod* v. *Burns*, 96 S. Ct. 2673 (1976).

[74] *Virginia State Board of Pharmacy* v. *Virginia Citizens Consumer Council*, 425 U.S. 746 (1976).

[75] *Bigelow* v. *Virginia*, 421 U.S. 809 (1975).

[76] *Miami Herald Publishing Co.* v. *Tornillo*, 418 U.S. 241 (1974).

[77] *Erznoznik* v. *City of Jacksonville*, 422 U.S. 205 (1975). Professor Yarbrough maintains that in *Broadrick* v. *Oklahoma*, 413 U.S. 601 (1973) the Court adopted the "substantial" overbreadth standard for facial review of statutes regulating communicative conduct rather than

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city ordinance that made it a punishable offense to exhibit any motion picture containing nudity where the screen is visible from a public street. In *Erznoznik* and two earlier cases involving symbolic speech (wearing the American flag on the seat of one's pants and hanging the flag upside down with a peace symbol attached)[78] the Burger Court sounded very much like the Warren Court, trotting out "overbreadth," "void for vagueness," and "no compelling state interest."

The ties to the past are manifest in free speech decisions, for at its libertarian best the Court under Warren or Stone or Hughes, and not inconceivably under Vinson, could have authored the decisions involving prior restraint such as the *Pentagon Papers Case*,[79] *Erznoznik*,[80] *Miami Herald Publishing Co.* v. *Tornillo*,[81] *Bigelow* v. *Virginia*,[82] the *Drug Advertising Case*,[83] the *Nebraska Press Case*,[84] and *Hynes* v. *Mayor of Oradell*.[85] The Warren Court would probably have struggled with *Buckley* v. *Valeo*[86] in about the same manner as did the current Court, and it would not have been discomfited by the recent symbolic speech cases or the scurrilous language cases of the early Burger years. From 1971 to 1973 the Burger Court overturned no less than six convictions, generally on the overbreadth-vagueness principle, in which people had been arrested for using foul language in public.[87] Justice Stevens may help to form a majority, including Justice Powell who, though often supporting the speaker in the past, has expressed strong concern over the "disquieting deterioration in standards of taste and civility in speech."[88] As we know, the obscenity standard has been qualified and it probably will be modified further.[89] Neither the Warren Court nor the present one has been able to deal effectively with the obscenity question, in part because of persistent disagreement among the justices. Only Justices

"pure speech" alone. But *Erznoznik* concerned a statute deterring the exhibition of movies in a certain place with particular consequences. Justice Powell, for the majority in *Erznoznik* thought the statute "substantially" overbroad, but the chief justice along with Justices Rehnquist and White thought it "absurd to suggest that the ordinance operates to suppress expression of *ideas*." Is there really any constitutional distinction between "substantial overbreadth" and "overbreadth"?

[78] *Smith* v. *Goguen*, 415 U.S. 566 (1974); *Spence* v. *Washington*, 418 U.S. 405 (1974).

[79] *New York Times* v. *United States*, 403 U.S. 205 (1975).

[80] 422 U.S. 205 (1975).

[81] 418 U.S. 241 (1974).

[82] 421 U.S. 809 (1975).

[83] 425 U.S. 748 (1976).

[84] 96 S. Ct. 2791 (1976).

[85] 425 U.S. 610 (1976).

[86] 424 U.S. 1 (1976).

[87] *Gooding* v. *Wilson*, 405 U.S. 518 (1972); *Rosenfeld* v. *New Jersey*, 408 U.S. 901 (1972); *Lewis* v. *City of New Orleans*, 408 U.S. 913 (1972); *Brown* v. *Oklahoma*, 408 U.S. 914 (1972); *Plummer* v. *City of Columbus*, 414 U.S. 105 (1973); *Hess* v. *Indiana*, 414 U.S. 105 (1973).

[88] Dissent in *Rosenfeld* v. *New Jersey*, Id. at 909.

[89] See *Miller* v. *California*, 413 U.S. 15 (1973).

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Brennan, Marshall, and Stewart continue to adhere to the position that the government may regulate obscenity for only two reasons: the protection of children and the prevention of obtrusive material being thrust upon unwilling recipients.[90] There is a good chance that a solid majority of six may be willing to sustain more stringent state and local regulatory legislation.

The Burger Court, like its predecessors, has not been able to articulate any consistent theory of First Amendment rights because it has not come to grips with the real issues. The Supreme Court helped to create one of the major problems when it gradually came to accept the idea that the First Amendment guarantees freedom of "expression," a term that at first glance appears to be a logical extension of "speech" and "press." Expression, however, has a broad outreach that goes far beyond verbal and written communication to embrace conduct, and when "expression" is deemed both a fundamental right and a preferred freedom, what forms of expression become constitutionally impermissible? Beginning with *Cohen* v. *California*[91] the Court has spent valuable time each term with cases involving scurrilous language and generally has not permitted local governments to punish people for calling public officials that crude epithet beginning with M, ending with R, and with an F in between. Certainly young Cohen would not have dramatically made his point if the words on his sweatshirt had said "Copulate the Draft," nor would Patrick Henry have made his if he had said, "Give me a fair trial and freedom from unreasonable searches or life won't be worth living," but the distinction between Patrick Henry and Paul Cohen is obvious. Archibald Cox has stated that extending First Amendment protection to sheer vulgarity gives it "an imprimatur which contributes to the lowering of public discourse."[92]

But protected expression has gone far beyond the verbal to include symbolism which has no apparent limit. A year ago a federal court found a violation of freedom of expression in an anti-topless dancing ordinance.[93] Although the Supreme Court has not met the nude dancing issue frontally, or contrapuntally, it has suggested that it might be entitled to First Amendment protection.[94] It is not clear what message the nude dancer is attempting to promulgate, but, then, perhaps in McLuhan's phrase, the medium is the message, or in the old adage, some things speak for themselves.[95]

Indications are that the Burger Court may move away from granting constitutional protection to extreme forms of expression, and may formulate a

[90] *Paris Adult Theater* v. *Slaton*, 413 U.S. 49 (1973). See Robert Rosenblum, "The Judicial Politics of Obscenity," *Pepperdine Law Review*, 3 (1975), 1, for a careful discussion of the issues.

[91] 403 U.S. 15 (1971).

[92] Archibald Cox, *The Role of the Supreme Court in American Government* (New York, 1976), pp. 47–48.

[93] *Salem Inn, Inc.* v. *Frank*, 552 F. 2d 1045 (2d Cir. 1975).

[94] *Doran* v. *Salem Inn, Inc.*, 442 U.S. 922 (1975).

[95] See Dixon, "The 'New' Substantive Due Process," pp. 61–65, to whom I am indebted for some of the graphic language.

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doctrine for obscenity regulation which would permit broad artistic creativity while excluding the pornographic, but it is not clear whether the justices are willing to produce a model which would adhere to the Jeffersonian/Madisonian concept of protecting rational discourse but permitting the representatives of the people to fix, within reason, standards of public morality.

Conclusions

Although this has been a discursive and selective treatment of current directions of the present Supreme Court, we can say in sum that the Court is skewed toward a conservative-restraint position, and yet has not broken out of old Warren pathways. All of the legal doctrine fashioned in earlier years—"fundamental rights," "vagueness," "facial overbreadth," "irrebuttable presumption," "compelling state interest," and "preferred freedoms"—remain in the arsenal of weapons with which the Court may nullify legislative discretion. With notable exceptions the Court suffers from the same malady as Courts of the past —a propensity to find derivative rights in the Fourteenth Amendment, a lack of ability to fashion creative, common sense standards for the First Amendment, an inclination to constitutionalize minor points of regulation,[96] and a tendency toward constitutional dogmatism. All of this does violence to the principle of representative democracy which holds that legislative assemblies compromise political deadlocks and broker social wants. At the same time there are indications that the Court is moving away, at least in some areas,[97] from the concept of expanded judicial review, and this gives credence to the view that judges cannot become administrators or budget makers without eroding "their own immunity from political accountability."[98] First and foremost, judicial review in the American system must be accountable to the Constitution and it must be perceived as legitimate by the people. It can be both of these only when the grounds for decision contain an inner logic of such overwhelming substance that even those who disagree with it can accept it as a proper limitation on majority rule.[99] Thus the Supreme Court cannot be simply another political agency that consciously builds a coalition of interest groups. It must be above the political battle. It must be disinterested. In contradistinction to the critics of the right who condemn the Burger Court for its judicial activism in *Roe* and *Doe* and those of the left who excoriate it for its "harmless error" atti-

[96] See for example, *Goss* v. *Lopez*, 419 U.S. 565 (1975), public school suspensions; *Wood* v. *Strickland*, 420 U.S. 308 (1975), liability of public school officials for student suspensions; *Cleveland Board of Education* v. *LaFleur*, 414 U.S. 632 (1974), teacher pregnancy in public schools.

[97] *Washington* v. *Davis*, 96 S. Ct. 2040 (1976), police applicant examination; *Sosna* v. *Iowa*, 419 U.S. 393 (1975), divorce residency; *McCarthy* v. *Civil Service Commission*, 424 U.S. 645 (1976), requirement that city employees be residents of the city.

[98] Dixon, "The 'New' Substantive Due Process," p. 83.

[99] Robert J. Steamer, "Judicial Accountability," *The Human Life Review*, 2 (1976), 23.

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tude in criminal procedure, one might argue that it has, in fact, yet to break out of the Warren mold. It can retain the best of the Warren years, and there is much worth retaining, but it can eschew the old pitfalls. It can do so by avoiding facial nullification where "invalid as applied" will vindicate an individual's rights. It can limit adjudication to substantial constitutional issues and avoid the use of vague doctrinal rules which tend to make the legislation suspect at the very threshold of judicial review.[100] In the long run it is the legislature that must deal with reasonable political alternatives since the judiciary is not well suited for the task. The Burger Court has given some indications, but only some, that it recognizes the limits of its power.

Postscript

This manuscript was completed in the summer of 1976 after the Court had recessed at the end of the 1975 term, but little of judicial significance occurred during the subsequent term ending July 1, 1977 that would alter the general theme of the article. Although the term saw a more restrictive posture with respect to the rights of persons accused of a crime, the Court nevertheless refused to overrule *Miranda*, even when asked to do so by twenty-two states (*Brewer* v. *Williams*), and the justices rejected a request to limit the requirement that police obtain warrants before conducting searches (*U.S.* v. *Chadwick*). Although access to the Supreme Court was denied to some, it was made easier for others, including prison inmates who now have the constitutional right of technical assistance in preparing and filing legal papers (*Bounds* v. *Smith*).

In the area of freedom of speech the Court's position on obscenity continued to be restrictive, but it extended protection to new aspects of commercial speech. It upheld the principle of lawyer advertising (*Bates* v. *Arizona*) and struck down an ordinance banning the use of "for sale" signs in front of houses, even though the aim of the law was to prevent the flight of white homeowners for racial reasons (*Linmark Associates Inc.* v. *Willingboro*). It also held violative of the First Amendment the New Hampshire requirement that noncommercial vehicle license tags bear the motto, "Live Free or Die" (*Wooley* v. *Maynard*).

The Court continued to use "equal protection" in some instances to overturn the legislative judgment, much to the annoyance of Justice Rehnquist. In *Craig* v. *Boren*, Justice Brennan writing for the majority, struck down an Oklahoma law that prohibited the sale of 3.2 percent beer to males under twenty-one and to females under eighteen, declaring that: "To withstand constitutional challenges previous cases establish that classifications by gender must serve important governmental objectives and must be substantially related to achievement of those objectives." Justice Rehnquist suggested that Brennan's phrase "comes out of thin air" and that "none of our previous cases adopt that standard." The chief

[100] See William D. Valente, "On Eccentric Constitutional Jurisprudence," *Catholic Lawyer*, 21 (1975), 235, for a succinct critique of the Burger Court.

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justice agreed with him. And in *Trimble* v. *Gordon* when Justice Powell, speaking for the majority, deemed a violation of equal protection an Illinois law that allowed illegitimate children to inherit by intestate succession only from their mothers while legitimate children are allowed to inherit by intestate from both parents, Justice Rehnquist, once again in dissent, countered that except for "classifications based on race or on national origin . . . the Court's decisions can fairly be described as an endless tinkering with legislative judgments, a series of conclusions unsupported by any guiding principle." Other examples of judicial disagreement with the legislative judgment are manifested in the striking down of Louisiana's mandatory death penalty for murdering a policeman (*Roberts* v. *La.*), of the New York law limiting access to contraceptives (*Carey* v. *Population Services International*), and of the New York statute that bars resident aliens from state financial assistance for higher education unless they have applied for, or plan to apply for U.S. citizenship (*Nyquest* v. *Mauclet*).

Neither time nor space permits a thoroughgoing analysis of the Court's work this past term, but this sampling clearly indicates that in spite of the hand-wringing of the civil rights activists, the contrast between the Burger and Warren Courts is not as sharp as they allege. Distinctions do not stand out in bold relief but appear only as subtle shadings as the activist flavor of the Warren era remains in vogue.

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Congress and the Arab-Israeli Conflict: Support for Israel in the U.S. Senate, 1970-1973

ROBERT H. TRICE

Congressional behavior in the late Vietnam and early post-Vietnam period has called into serious question the long-standing conclusion that Congress has neither the inclination nor the institutional capacity to play an active and meaningful foreign policy role.[1] However, even before Congress' recent "resurgence"[2] one set of foreign policy issues that consistently aroused widespread attention on Capitol Hill concerned American diplomatic, military, and economic support of the state of Israel. The apparent preoccupation of Congress

[1] See, for example, Robert Dahl, *Congress and Foreign Policy* (New York, 1950); James A. Robinson, *Congress and Foreign Policy Making*, rev. ed. (Homewood, Ill., 1967); Holbert N. Carrol, *The House of Representatives and Foreign Affairs*, rev. ed. (Boston, 1966); Holbert N. Carrol, "The Congress and National Security Policy," in David Truman (ed.), *The Congress and America's Future*, rev. ed. (Englewood Cliffs, N.J., 1973), pp. 150–175; Roger Hilsman, *The Politics of Policy-Making in Defense and Foreign Affairs* (New York, 1971); Michael K. O'Leary, *The Politics of American Foreign Aid* (New York, 1967).

[2] Analyses of this "phenomenon" and its effects on governmental policy include: John Manley, "The Rise of Congress in Foreign Policy-Making," *The Annals*, 397 (September 1971), 60–70; Leslie Gelb and Anthony Lake, "Congress: Politics and Bad Policy," *Foreign Policy*, no. 2 (Fall 1975), 232–238; Robert A. Pastor, "Congress' Impact on Latin America: Is There a Madness in the Method?" *Commission on the Organization of the Government for the Conduct of Foreign Policy, Appendices*, Vol. 3 (Washington, D.C., June 1975), pp. 259–272; Arthur S. Miller, "Congress and Foreign Policy," in Andrew M. Scott and Earle Wallace (eds.), *Politics, U.S.A.: Cases on the American Democratic Process*, 4th ed. (New York, 1974), pp. 516–523; Aage Clausen, *How Congressmen Decide: A Policy Focus* (New York, 1973). In addition, there are several analysts who maintain that Congress' role in the foreign policy pro-

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with legislation that affected Israel's interests was treated by many scholars[3] as the exception which proved the general rule of congressional passivity in matters of foreign affairs. It was generally argued that congressional interest in Israel was somehow "different"; that it reflected more the reality of the domestic political environment within which foreign policy is made than other sets of issues. Congress was seen as "pro-Israeli" for a variety of intuitively satisfying but empirically unexplored reasons, and the issue was generally closed at that point. The Arab-Israeli conflict, however, is no longer the unique case of congressional interest in foreign policy. A series of major congressional initiatives—beginning with the Cooper-Church amendment and the War Powers Act, and extending through the recent Senate investigations of the activities of multinational corporations and American intelligence agencies—clearly demonstrate that Congress has staked out for itself a major role in the foreign policy process.

With some important exceptions,[4] congressional behavior on foreign policy issues still remains largely uninvestigated. The paucity of systematic research has resulted in considerable speculation—and much confusion—concerning the nature and sources of congressional foreign policy behavior. Such misunderstanding is certainly the case with regard to congressional actions pertaining to the Arab-Israeli conflict. This study seeks to increase our understanding of congressional involvement in foreign policy by analyzing in some detail the vot-

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cess has been consistently underestimated. See Cecil V. Crabb, Jr., *American Foreign Policy in the Nuclear Age* (New York, 1965); Ronald C. Moe and Steven C. Teel, "Congress as Policy Maker: A Necessary Reappraisal," *Political Science Quarterly*, 85 (September 1970), 463–467; and Stan A. Taylor, "Congressional Resurgence," in Martin B. Hickman (ed.), *Problems of American Foreign Policy*, 2d ed. (Beverly Hills, Calif., 1975), pp. 106–118.

[3] See, for example, Charles Peters, "Lobbies and Their Influence on Government," in Charles Peters and James Fallows (eds.), *The System: The Five Branches of American Government* (New York, 1976), pp. 137–179; Bernard C. Cohen, *The Impact of Non-Governmental Groups on Foreign Policy* (Boston, 1959); Dahl, *Congress*, p. 42; William R. Polk, *The United States and the Arab World*, rev. ed. (Cambridge, Mass., 1969), p. 264; Francis O. Wilcox, *Congress, the Executive and Foreign Policy* (New York, 1971), pp. 137–141.

[4] Some of the major exceptions are Aage R. Clausen and Carl E. Van Horn, "Policy Trends in Congress and Partisan Realignment," paper presented at the September 1974 Annual Meeting of the American Political Science Association, Chicago; Herbert B. Asher and Herbert F. Weisberg, "Congressional Voting Change: A Longitudinal Study of Voting on Selected Issues," paper presented at the Seminar on Mathematical Models of Congress, Aspen, Colorado, June 1974; Mark Kesselman, "Presidential Leadership in Congress on Foreign Policy," *Midwest Journal of Political Science*, 5 (August 1961), 284–289; Mark Kesselman, "Presidential Leadership in Congress on Foreign Policy: A Replication of a Hypothesis," *Midwest Journal of Political Science*, 9 (May 1965), 401–406; Charles M. Tidmarch and Charles M. Sabatt, "Presidential Leadership Change and Foreign Policy Roll-Call Voting in the U.S. Senate," *Western Political Quarterly*, 25 (December 1972), 613–625; Stephen Cobb, "The Impact of Defense Spending on Senatorial Voting Behavior," in Patrick McGowan (ed.), *Sage Yearbook of Foreign Policy Studies*, Vol. I (Beverly Hills, Calif., 1973), pp. 135–159; and David Garnham, "The Politics of U.S. Middle East Policy Making," *Jerusalem Journal of International Relations*, 2 (forthcoming, 1977).

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ing behavior of the dominant house of Congress in foreign affairs—the U. S. Senate—on a set of highly volatile issues directly related to the Arab-Israeli conflict during the 1970–1973 period. Seven roll-call votes relevant to Israel's interests are analyzed. Each of the 127 senators who served during at least a portion of the period are assigned a "support for Israel" score on the basis of their voting records on relevant bills. The results of this first analysis are that the Senate was consistently and overwhelmingly supportive of Israeli interests during the period, and that Democrats and Republicans were equally supportive. Analysis of the potential effects of turnover show that the base of support for Israel remained largely intact during the period, although there was some erosion of support among a sizable minority of incoming senators.

The seventy-five senators who were in office for the entire period were found to be slightly more supportive than the fifty-two senators who served during only a portion of the time. Regional comparisons supported the long-standing notions that the bases of pro-Israel support are strongest in the heavily industrialized, urbanized states of the Northeast, and weaker in the South and less populous heartland of the country.

Congressmen can play at least three different roles in the policy-making process, all of which help determine the potential impact of domestic political forces on foreign policy. First, congressmen frequently formulate and express opinions on foreign affairs without any specific guidance or consultation with constituents or interest groups. In such instances, they present their preferences as individual members of the articulate public, and therefore play a more or less independent public opinion role.[5] Their second role is the more traditional and representative one as conduits for the opinions of their constituents. Third, chairmen and senior members of relevant committees, such as Foreign Relations, Armed Services, and Government Operations, represent the institutional interests of Congress in the foreign policy arena. In all these cases, congressmen provide a channel for injecting nongovernmental concerns and interests into foreign policy debates. On some issues, particularly those involving the expenditure of funds, Congress can exert a major, direct influence on foreign policy decisions. However, on other issues, such as those concerned with establishing broad foreign policy objectives or with resolving more narrowly defined diplomatic questions, Congress must gain access to and support from executive branch officials if it is to affect policy. As Congress' ability to have a direct impact on foreign policy varies from issue to issue, so will the effectiveness of nongovernmental actors who depend on congressmen as the media for translating their policy preferences into governmental decisions.

Any organized segment of society may seek support for its position on a foreign policy issue from a variety of government officials. However, the most common and most accessible allies that domestic groups can garner are members of Congress. The relationship between congressional behavior, on the one hand,

[5] Bernard C. Cohen, *The Public's Impact on Foreign Policy* (Boston, 1973), p. 114.

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and public opinion and domestic interest group activities, on the other, is circular. Congressional support is important because of its legitimizing and sanctioning effects for interest-group activities, and the direct access to the media and to executive branch officials enjoyed by congressmen. An unreceptive Congress creates severe handicaps for domestic groups seeking to affect foreign policy. If an interest group is forced to rely solely on its own political resources, it will rarely be able to marshal the support from the mass and articulate publics necessary to play an effective policy-making role. But the ability to successfully petition Congress for support is likely to be closely tied to an ability to obtain widespread support from the articulate public. One generally does not come without the other. Foreign policy interest groups are dependent on Congress, as they are dependent on the mass media, for amplifying and disseminating their policy preferences in a manner that is beyond the group's own capabilities. If Congress is receptive to the arguments of domestic actors, the legitimacy of those arguments in the eyes of both the mass public and executive branch officials is likely to be enhanced. However, if Congress fails to provide its amplifying and legitimizing services, a domestic group is likely to find itself isolated in a political environment that is either apathetic or hostile toward its policy objectives. In this study we will be interested in determining the nature and sources of congressional behavior with regard to those domestic forces that favor strong American support for the state of Israel.

Senate Support: An Overview

The first task is to describe the votes to be analyzed and to provide an overview of the voting patterns of all 127 senators who served during at least a part of the time between 1970 and the end of 1973. We will then shift our focus to the seventy-five senators who served for the entire period. We can thus determine the general strength of senatorial support for Israel over time, examine the effects of turnover on senatorial voting patterns, and make interparty and interregional comparisons of support. Two primary criteria guided the selection of votes: (1) that each bill, amendment, or motion address itself to an identifiable issue directly relevant to the Arab-Israeli conflict; (2) that the bill be clear and specific enough to allow us to impute support or nonsupport for Israel's interests to senators on the basis of their votes. The frequent practice of tying different issues together in one bill eliminated many roll-call votes from consideration. Seven votes were ultimately selected from those listed in the *Congressional Quarterly Almanac* for the years 1969 through 1974. The selected votes extend over the period from June 1970 through December 1973, with at least two votes taken from each of the ninety-first, ninety-second, and ninety-third Congresses. A brief description of the substance, and the votes on the seven bills are presented in Table 1.

Two findings can be drawn from the vote totals presented in Table 1. The first is that by any reasonable standard the U. S. Senate must be judged to have

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been consistently and overwhelmingly supportive of Israeli interests during the period from 1970 through 1973. Of the 551 total votes cast on the seven roll calls, 463 (84 percent) could be considered supportive of Israel, while only 88 (16 percent) could be considered unsupportive. The second finding is that there was no difference between Democrats and Republicans in the degree of active support shown for Israel. Democrats cast 258 (84 percent) of 306 total votes in support of Israel. The Republican vote distribution was identical, with 205 (84 percent) of 245 total votes supporting Israeli interests. Thus, not only was the Senate was a whole strongly "pro-Israel" during the 1970–1973 period, but the base of this support was equally strong among both Democrats and Republicans, if we look only at votes cast and ignore absences and abstentions.

An index of support for Israel was calculated for the 127 senators who voted on one or more of the bills.[6] Individual support scores range from a low of 1.00, indicating no support for Israeli positions, to a high of 3.00 representing total support for Israeli interests on all votes during a given senator's tenure. The mean score is a very high 2.58 out of a possible 3.00. Of the 127 senators, 41 (32 percent) had the highest possible support score, while only 3—Williams (R-Del.), Abourezk (D-S.D.), and Scott (R-Va.)—had the lowest possible score.

There were twenty-seven seat changes in the Senate between June 1970 and the end of 1973. During that period, eleven (41 percent) of the twenty-seven new occupants tended to be less supportive of Israel than the men they replaced, ten (37 percent) tended to be more supportive, and six (22 percent) had support scores identical with those of the previous occupants. The implication of this finding is that the base of support for Israel remained largely intact during the 1970–1973 period, although there did appear to be some erosion of support among a sizable minority of incoming senators.

These characterizations are important in understanding the breadth of senatorial support of Israel, and in examining the general stability of senatorial sentiments from a longitudinal perspective. However, the relatively high rate of turnover in the Senate results in a small number of votes for many senators, thereby creating the possibility that some of the individual support scores do not necessarily reflect "true" policy preferences but are rather artifacts of a small sample of votes.

In order to test the validity of the characterizations derived in this overview, and to examine the behavior of the individuals who consistently fought for or against pro-Israel legislation, we shall now shift our focus to that subset of seventy-five senators who were in office during the entire 1970–1973 period. It

[6] This simple index was constructed by assigning a value of 3.0 to each vote which was considered openly supportive of Israel, a value of 2.0 for abstentions or absences, and a value of 1.0 for votes which were nonsupportive of Israel. The vote scores were summed for each senator and then divided by the number of votes that occurred during each senator's tenure. Division of the total score was necessary to make the individual scores comparable in light of the fact that different senators voted on varying numbers of bills.

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is this group which is of primary interest here. Each individual had the same opportunities to express his policy preferences on at least seven different roll-call votes. Thus, the voting records of all of the senators in this group are directly comparable, and are more likely to reflect genuine opinions on Middle East issues than the scores for senators who only served during a portion of the three-and-a-half-year period. In this section we shall briefly describe the individual, party, and regional patterns of support for Israel among these seventy-five senators.

The depth of active support for Israel in the U. S. Senate is apparent from Table 2, which ranks each of the seventy-five senators on the 1.00 through 3.00 scale. The mean score for the group of seventy-five (2.59) is very close to the mean for the fifty-two senators who served during only a portion of the 1970–1973 period (2.56). The senators have been clustered into five groupings that reflect relative degrees of voting support for Israel. More than a quarter ($N = 19$) of the senators received the highest possible score and were placed in the "most supportive" group, while 44 percent ($N = 33$) had scores at or above the mean and were categorized as "very supportive." That almost 70 percent of the senators in office from the ninety-first through ninety-third Congress were such loyal supporters of Israel reflects an apparent consensus and consistency over time that is stronger than the similar trends found in voting analyses of other foreign policy issues.[7] Included in the "moderately supportive" group are eleven (14.7 percent) senators with scores that are above the "neutral" score of 2.00 yet below the senatorial average. The scores for the moderately supportive group, which range between 2.14 and 2.43, indicate that while these individuals were generally supportive, each "defected" from a pro-Israel stance to either a neutral or hostile position on at least two of the seven votes.

The eight (10.7 percent) senators in the "neutral/occasionally supportive"

[7] John Kingdon, *Congressmen's Voting Decisions* (New York, 1973); Asher and Weisberg, "Congressional Voting Change."

TABLE 1

Total Senate and Party Support for Israel on Selected Votes, 1970–1973

	Total Senate		*Democrats*		*Republicans*	
	Support-ive N	*Non-Support-ive N*	*Support-ive N*	*Non-Support-ive N*	*Support-ive N*	*Non-Support-ive N*
VOTE 1						
H. R. 15628, June 1970. Williams (R.-Del.) amendment jeopardizing sale of Phantom jets to Israel.	59	1	36	0	23	1

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TABLE 1 (*continued*)

	Total Senate		*Democrats*		*Republicans*	
	Support-ive N	*Non-Support-ive N*	*Support-ive N*	*Non-Support-ive N*	*Support-ive N*	*Non-Support-ive N*
VOTE 2 H. R. 1911, December 1970. *Church (D.-Idaho) motion to* table Williams (R.-Del.) amendment prohibiting use of foreign assistance funds for ground combat troops in Israel.	60	20	40	7	20	13
VOTE 3 H. R. 1173, November 1971. Jackson (D.-Wash.) amendment making $500 million in credit available to Israel for weapons purchases.	82	14	45	8	37	6
VOTE 4 H. R. 15495, September 1972. Defense Procurement Authorization extending president's authority to send aircraft and equipment to Israel.	73	5	42	5	31	0
VOTE 5 H. R. 11771, December 1973. Fong (R.-Hawaii) amendment adding $36.5 million for assistance to Soviet refugees, primarily Jewish immigrants to Israel.	62	25	31	16	31	9
VOTE 6 H. R. 11088A, December 1973. Humphrey (D.-Minn.) motion to table an amendment by Helms (R.-N.C.) requiring all aid to Israel to be in the form of loans rather than grants.	61	14	43	6	18	8
VOTE 7 H. R. 11088, December 1973. Israeli Emergency Assistance bill *authorizing* $2.2 billion for American security assistance to Israel.	66	9	21	6	45	3
TOTALS	463 84%	88 16%	258 84%	48 16%	205 84%	40 16%

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category are all well below the mean for the Senate as a whole, with scores clustering around the neutral score of 2.00 or slightly below. The scores for people in this group tend to indicate either frequent absence during relevant votes, as was the case for Senators Cotton (R-N.H.) and Bellmon (R-Okla.), or a very mixed record of either active support or active nonsupport depending on the political substance of the vote. This issue-specific pattern of support or lack of support for the Israeli position characterized the voting behavior of Senators Burdick (D-N.D.), Metcalf (D-Mont.), Fannin (R-Ariz.), and Hansen (R-Wyo). On balance, however, these senators voted against pro-Israel policy preferences

TABLE 2

Individual Rankings of Support for Israel Among U. S. Senators, 1970-1973 (N = 75)

	Senator	Party	State	
Most Supportive	Allan	D	Ala.	
	Bayh	D	Ind.	
	Case	R	N. J.	
	Eagleton	D	Mo.	
	Jackson	D	Wash.	
	Javits	R	N. Y.	
	Magnuson	D	Wash.	
	Nelson	D	Wis.	
	Packwood	R	Oreg.	
	Pastore	D	R. I.	
N = 19	Percy	R	Ill.	Score
25.3%	Proxmire	D	Wis.	2.86
	Ribicoff	D	Conn.	
	Schweiker	R	Penn.	
	Scott	R	Penn.	
	Stevens	D	Alaska	
	Thurmond	R	S. C.	
	Tower	R	Tex.	
	Williams	D	N. J.	
Strongly Supportive	Bible	D	Nev.	
	Byrd	D	W. Va.	
	Cannon	D	Nev.	
	Cook	R	Ky.	
	Dominick	R	Colo.	
	Fong	R	Hawaii	
	Hartke	D	Ind.	
N = 34	Kennedy	D	Mass.	Score
45.3%	Mathias	R	Md.	3.00
	McGee	D	Wyo.	
	Mondale	D	Minn.	
	Muskie	D	Me.	
	Pell	D	R. I.	
	Sparkman	D	Ala.	
	Symington	D	Mo.	

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TABLE 2 *(continued)*

		Senator	*Party*	*State*	
Strongly Supportive *(continued)*		Baker	R	Tenn.	Score 2.71
		Brooke	R	Mass.	
		Byrd	Ind (D)	Va.	
		Dole	R	Kan.	
		Griffin	R	Mich.	
		Gurney	R	Fla.	
		Hart	D	Mich.	
		Inouye	D	Hawaii	
		McGovern	D	S. D.	
		McIntyre	D	N. H.	
		Montoya	D	N. M.	
		Moss	R	Utah	
		Pearson	R	Kan.	
		Randolph	D	W. Va.	
		Church	D	Idaho	Score 2.57
		Cranston	D	Calif.	
		Hollings	D	S. C.	
		Long	D	La.	
		Talmadge	D	Ga.	
Moderately Supportive		Curtis	R	Nebr.	Score 2.43
		Eastland	D	Miss.	
		Hruska	R	Nebr.	
		Stennis	D	Miss.	
		Young	R	N. D.	
N = 11 14.7%		Bennett	R	Utah	Score 2.29
		Hughes	D	Iowa	
		Aiken	R	Ver.	Score 2.14
		Ervin	D	N. C.	
		Goldwater	R	Ariz.	
		McClellen	D	Ark.	
Neutral/ Occasionally Supportive		Cotton	R	N. H.	Score 2.00
		Bellmon	R	Okla.	
		Gravel	D	Alaska	
		Saxbe	R	Ohio	
N = 8 10.7%		Burdick	D	N. D.	Score 1.86
		Metcalf	D	Mont.	
		Fannin	R	Ariz.	Score 1.71
		Hansen	R	Wyo.	
Unsupportive	*N* = 3 4.0%	Hatfield	R	Oreg.	Score 1.29
		Mansfield	D	Mont.	
		Fulbright	D	Ark.	Score 1.14

more often than they voted in favor of Israeli interests. Only three senators (4 percent) were in the "unsupportive" category, which is the lowest support score group. It should be noted, however, that none of the senators who served during the entire 1970–1973 period voted against Israeli interests on all seven votes.

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Senators Hatfield (R-Oreg.) and Mansfield (D-Mont.) voted contrary to the pro-Israeli position on all occasions except the Defense Procurement Authorization bill, when they voted with the majority. Senator Fulbright (D-Ark.) did not vote on that same bill and took an unsupportive voting stance on all the others.[8]

If we are looking for the bedrock of senatorial support for Israel in the U.S. Senate we will find it among the group of fifty-two senators listed in the most supportive and strongly supportive categories in Table 2. Differences in political commitment to Israel among most senators are only matters of degree on the pro-Israel side of the continuum running from unwavering support through neutrality to open antipathy. Only eleven senators can be placed on the neutral-to-unsupportive end of that continuum. Such a top-heavy clustering of supporters among the nucleus of the Senate raises questions concerning the likely success of efforts to uncover the primary sources of congressional support for Israel. However, before testing a number of the more frequently advanced propositions used to explain why senators vote as they do on Israel-related issues, let us briefly examine interparty and interregional differences in support.

Our earlier conclusion that both parties were equally supportive of Israel for the most part applies to the smaller group as well. However, on the average, Democrats who served during the entire 1970–1973 period were slightly more supportive (mean score = 2.93) than their Republican counterparts (2.55).[9] Table 3 groups senators by state and region, and permits interregional comparisons of support to be made. The mean support score for all senators in a given region indicates how the "average" senator from that region voted, and can be compared with the mean score of 2.59 for all seventy-five senators. Two points can be drawn from Table 3. First, in an absolute sense, support for Israel is very strong among senators from most regions. All average scores are above the value of 2.00 which represents the "neutral" position between no support and all-out support for Israel. Second, in relative terms, however, there are meaningful differences among regions. The rankings in Table 3 conform closely to the long-standing notions that the bases of pro-Israel support are strongest in the heavily industrialized, urbanized states of the Northeast, and weaker in the South and the less populous heartland of the country. Particularly striking is the weak sup-

[8] The fact that the three senators who showed the least support for Israel on all other issues either voted for or did not vote on the Defense Procurement Authorization bill raises questions concerning the "purity" of the vote for the purposes of imputing support or nonsupport for Israel. The bill was retained in the analysis because the section pertaining to extension of the president's authority to send military equipment to Israel dominated floor discussion and provoked considerable controversy among senators, both on and off the floor.

[9] One reason for the slippage between the appearance of equal support from Democrats and Republicans for the Senate as a whole, and the small but noticeable difference among the group of seventy-five, is that for the latter group absences and abstentions are assigned a "neutral" value of 2.0 in the calculation of individual support scores. For the larger group only recorded votes of support or nonsupport were used to calculate party support. As a group, Republicans had a higher rate of absenteeism on legislation relevant to Israel than their Democratic colleagues.

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TABLE 3

Average Support Scores for Israel by Region, 1970–1973 (N = 75)

Rank	*Region* *	*N States*	*N Senators*	*Average Support Score*
1	Middle Atlantic	4	5	3.00
2	East North Central	5	8	2.80
3	New England	6	9	2.69
4	Border States	4	5	2.66
5	External States	2	4	2.64
6	Pacific States	3	5	2.57
6	West North Central	7	11	2.57
8	Solid South	11	15	2.53
9	Mountain States	8	13	2.01
Totals		50	75	2.59

*All states are grouped using ICPR conventions except Tennessee, which I have included in the Solid South rather than among the Border states.

port for Israel shown by senators from the Rocky Mountain states relative to all other regions.

Sources of Support for Israel: Some Common Views

Thus far the empirical evidence has supported the opinion of most Congress watchers that support for Israel in the Senate is both widespread and strong. A number of arguments are commonly used to explain why some senators are more likely to vote in favor of Israel's interests than others. Our goal is to uncover whatever it is about Israel-related issues that consistently produces such a strong voting coalition among such a disparate group as the U.S. Senate, and why some members tend to join this coalition and others do not. We have already seen that while Democrats on the average were marginally more sympathetic to Israel, party differences offer little help in explaining variations in levels of support. Regional differences, however, were more apparent. But, regional differences tell us little in and of themselves, and beg the more interesting question: *Why* are senators from the Rocky Mountain states less likely to support Israel than those, say, from the Northeast?

We shall explore three factors commonly assumed to affect the voting behavior of congressmen on Israel-related issues: (1) ideological differences; (2) the Jewish vote; and (3) Jewish monetary support for selected senators.[10] We

[10] Other possible explanations, such as presidential leadership and presidential loyalty, are not explored here owing to the fact that there was no change of administration during the 1970–1973 period, and because President Nixon took a policy stand on only three of the seven votes analyzed. Furthermore, because of the small differences in support between parties, it is likely that the explanatory utility of these two models would be severely limited.

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will begin by using cross-tabulation and Pearson product-moment correlation techniques to examine the association of each of these variables with the voting records of the seventy-five senators who held office during the entire 1970–1973 period. Then we shall employ step-wise regression analysis to test the collective explanatory ability of the three factors. In all of the analyses, the dependent variable is the "Individual Support for Israel" index score computed for each senator.

Ideological Differences

Two antithetical propositions can be derived from the general argument that basic ideological differences among senators are related to differences in their voting records on Israel-related issues. A common theme in journalistic analyses is that the greatest degree of commitment to Israel is found among domestic liberals in Congress.[11] It is argued that liberals tend to support Israel for one or more of the following reasons: because they are more likely to agree and empathize with the characterization of Israel as the "underdog" in the Arab-Israeli conflict; because they are more likely to carry feelings of Western guilt for the holocaust of World War II; or because they are more likely to come from heavily industrailized, urbanized states where there are significant concentrations of Jews who make their policy preferences clearly known to their representatives in Congress.

The argument is sometimes made that domestic conservatives provide the heart of congressional support for Israel.[12] It is assumed that conservatives favor Israeli interests for one or more of several reasons: because they are more likely to view Israel as an "outpost of democracy" among the "autocratic" Arab states in the Middle East; because they are more likely to see continuing support of Israel as a benchmark of American resolve to meet political and military commitments to allies and friendly states; or because they are more likely to see a militarily strong Israel as an effective check to Soviet expansion into the Middle East and the Indian Ocean.

Two propositions emerge from these contending perspectives:

> Proposition 1. The more liberal a given senator's voting record on other issues, the more supportive he will be of Israel's interests.
>
> Proposition 2. The more conservative a given senator's voting record on other issues, the more supportive he will be of Israel's interests.

Our measures of the variables "liberal" and "conservative" are the averages of the annual ratings given each senator during the period from 1970–1973 by

[11] See, for example, Gil Carl Alroy, "Patterns in Hostility," in Alroy (ed.), *Attitudes Toward Jewish Statehood in the Arab World* (New York, 1971), p. 3; Polk, *United States and the Arab World*, p. 264.

[12] See Mary Barberis, "The Arab-Israeli Battle on Capitol Hill," *The Virginia Quarterly Review*, 52 (Spring 1976), 206 ff.

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the AFL-CIO's Committee on Political Education (COPE) and the Americans for Constitutional Action (ACA), respectively.[13] Proposition 1 is supported by the evidence while Proposition 2 is not so supported.[14] There is a weak to moderate positive relationship ($r = .31$) between the ratings assigned to senators by the liberal interest group, COPE, and their support for Israel scores. Thus, senators with more liberal voting records show a tendency to support Israel more than those with less liberal voting records. There is, however, a weak negative relationship ($r = -.18$) between ratings on the conservative ACA's scale and pro-Israel voting records. That is, senators with high marks from the ACA show a slight tendency to be less supportive of Israel's interests than those with lower ratings.

Thus, the correlation analyses provide evidence to show that one important source of many senators' pro-Israeli policy preferences may derive from a more general—and liberal—political philosophy. The results, however, also show that caution must be exercised in imputing meaning to the relationship between liberal voting records in general and pro-Israel voting in particular. First, the strength of association between the two sets of variables is at best moderate, in the case of COPE, and is weak when the ACA ratings are used. The clear implication is that these crude ratings of general political inclinations provide only a partial guide to understanding why some senators are more likely than others to support Israel. The relatively weak correlation coefficients indicate that there are some conservative senators for which the generalization simply does not hold. Second, there is the potential problem that liberal senators may vote for pro-Israeli legislation, not out of any strong personal conviction, but because they are more likely to come from industrialized, urbanized states where there are significant concentrations of politically aware and organized Jews. Following this logic, these senators may be responding to direct demands from

[13] The average annual ratings given each senator by four different groups were calculated. Three of the groups that monitor congressional voting consider themselves advocates of a liberal political philosophy: Americans for Democratic Action (ADA); the AFL-CIO's Committee on Political Education (COPE); and the National Farmers Union (NFU). The Americans for Constitutional Action (ACA) supports conservative political ideals. The ADA, COPE, and NFU ratings were very consistent with one another, with correlation coefficients of .9 or better among all three, while there was a very strong negative relationship ($r = -.95$ or higher) between the ACA ratings and the ratings given by other groups. Therefore we can be confident that the measures of liberalism and conservatism tap very different political values, and that senators with high scores on one scale are unlikely to have high scores on the other.

[14] We will assign the strength of association between selected variables in terms of product-moment correlation coefficients as follows:

$r = .0 - .10$ no relationship
$r = .11 - .25$ weak relationship
$r = .26 - .50$ moderate relationship
$r = .51 - 1.00$ strong relationship

significant at .05 level or better.

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influential sets of constituents, and may vote in favor of Israel's interests irrespective of their own individual policy preferences. In order to explore this possibility we shall now consider the relationship between the population distribution of Jews across states and senatorial voting behavior.

The Jewish Vote

One of the most common explanations of the pro-Israel slant in congressional voting patterns found in the popular literature is the impact of the "Jewish vote."[15] According to the standard argument, Jews offset their numerical weakness as a voting group because they, more than any other ethnic minority, tend to vote as a bloc. It is contended that legislation that in any way affects Israel is of high salience to American Jews, and they are quick to articulate their policy preferences to their representatives in Congress. Because congressmen seek to garner and maintain the support of their Jewish constituents they will tend to vote in accordance with the policy demands of Jewish community leaders. Over time, congressmen come to anticipate the reactions of organized Jewry to their position on relevant legislation. As congressmen become more sensitive to the predictable responses of Jewish constituents, direct pressures by Jewish voters become less necessary, and the support of congressmen from states with sizable Jewish populations for pro-Israeli legislation becomes more automatic.

Previous studies of Jewish voting patterns in presidential elections have found that Jews do tend to vote as a bloc, but party differences rather than the policy stands of the candidates appear to be the most important factors in determining the Jewish vote.[16] At least at the national level, a Democratic candidate is almost always sure to do better than a Republican among Jewish voters. This finding held even for the 1972 landslide victory of Richard Nixon, who is generally considered to have been one of the strongest supporters of Israel ever to hold office. In this section we want to see whether or not the number of Jewish voters in a given state appears to constrain the voting behavior of its senators. If the assumptions of the "Jewish vote" argument are valid we would expect senators from states with sizable Jewish populations to be more sensitive to the policy preferences of Jewish lobby groups than those with relatively few Jewish constituents. We will examine the following proposition:

[15] See, for example, Saad Ibrahim, "American Domestic Forces and the October War," *Journal of Palestine Studies*, IV (Autumn 1974), 60, 63; an advertisement in the *Wall Street Journal*, March 14, 1974, entitled "Do Arms for Israel Mean No Gasoline for Americans?" placed by Alfred Lilienthal; Barberis, "Arab-Israeli Battle," p. 209; Odeh Abu Rudeneh, "The Jewish Factor in U. S. Politics," *Journal of Palestine Studies*, I (Summer 1972), 96 ff. For more systematic analyses of the Jewish vote, see Mark R. Levy and Michael S. Kramer, "The Ethnic Vote," in Thomas A. Reilly and Michael W. Sigall (eds.), *New Patterns in American Politics* (New York, 1975), pp. 111–140; and Milton Himmelfarb, "The Jewish Vote (Again)," *Commentary*, 55 (June 1973), 81–85.

[16] Levy and Kramer, "The Ethnic Vote."

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TABLE 4

Estimated Jewish Population in the United States, by Selected States, 1971

State	Estimated Jewish Population	Total Population	Estimated Jewish Percent of Total
New York	2,535,870	18,391,000	13.79
California	721,045	20,223,000	3.56
Pennsylvania	471,930	11,879,000	3.97
New Jersey	412,465	7,300,000	5.65
Illinois	284,285	11,196,000	2.54
Massachusetts	267,440	5,758,000	4.64
Florida	260,000	7,041,000	3.69
Maryland	187,110	4,000,000	4.68
Ohio	158,560	10,778,000	1.47
Connecticut	105,000	3,081,000	3.41
Michigan	93,530	8,997,000	1.04
Missouri	84,325	4,749,000	1.78

SOURCE: Morris Fine and Milton Himmelfarb, *American Jewish Yearbook, 1972* (New York, 1972), pp. 386–387.

Proposition 3. The larger the Jewish constituency for a given senator, the more supportive he will be of Israel's interests.

Table 4 lists the states with the largest absolute numbers of Jewish residents, and also shows the relative size of the Jewish population for these states. The two most obvious facts reflected in Table 4 are, first, that the bulk of American Jewry is concentrated in a relatively small number of states, and, second, that even in these states Jews generally comprise a relatively small percentage of the total population. Roughly 93 percent of the total estimated Jewish population of 6,060,000 in the United States in 1971 resided in the twelve states listed in Table 4. The question is whether or not higher voting turnout rates among Jews relative to other ethnic minorities, and a generally higher level of political involvement,[17] have succeeded in making their senatorial representatives more responsive to their foreign policy preferences than senators with fewer Jewish constituents.

There is a moderate positive relationship ($r = .30$) between the relative size of a senator's Jewish constituency and his support score. Thus, senators that come from states with relatively larger percentages of Jewish voters are, on the whole, more likely to vote in favor of Israel's interests than are those with smaller Jewish constituencies. What is remarkable about the apparent impact of Jewish voters on their elected representatives is that, with the exception of New York, the size of even the largest Jewish populations do not exceed 6 percent of the

[17] Charles R. Wright and Herbert Hyman, "Voluntary Memberships of American Adults: Evidence from National Sample Surveys," *American Sociological Review*, XXIII (June 1958), 287.

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total population of any state. Of the seventy-five senators who served during the entire 1970–1973 period, sixteen came from states where Jews comprised more than 1.7 percent of the total population. Every one of these sixteen senators was in either the strongly supportive or most supportive group listed in Table 2. The implicaton is that very small Jewish populations—in some cases as small as 2 percent or less of a state's total population—were capable of generating and maintaining consistent support for their policy preferences from their respective senators. However, while senators that come from states with Jewish populations of 1.6 percent or less are distributed more evenly across the support categories than those with more than 1.6 percent Jewish constituents, many strong supporters can be found among senators with virtually no Jewish constituents. Almost 80 percent ($N = 27$) of the senators in the strongly supportive category, and more than 50 percent ($N = 10$) in the most supportive group came from states where Jews make up 1.6 percent or less of the population.

All the senators in the unsupportive, neutral and occasionally supportive, and moderately supportive categories had Jewish constituences representing 1.6 percent or less of the state's population. However, as was the case with the finding that liberals tended to support Israel more than conservatives, the "Jewish vote" provides an explanation for the voting behavior of only a limited number of senators. The size of the Jewish constituency does not account for the many senators—such as Allan of Alabama (estimated percent Jewish population .26 percent), Packwood of Oregon (.41 percent), Stevens of Alaska (.10 percent) or Jackson and Magnuson of Washington (.44 percent)—who displayed unwavering support for Israel despite the fact that they had virtually no Jewish voters to satisfy.

Jewish Financial Support

Critics of pro-Israel interest group activities frequently charge that American Jews extend their political leverage well beyond the limits of their voting strength by means of their willingess to give generous financial assistance to congressmen who are sympathetic to their policy preferences.[18] There is some

[18] For example, see the advertisement "Is America's Foreign Policy For Sale?" placed by the American Palestine Committee in the *Washington Post*, June 13, 1975; the *National Observer*, June 21, 1975; and the *Christian Science Monitor*, June 19, 1975. The advertisement reads in part as follows: "We regard this Zionist payment of money to American Legislators as a deliberate bribe to influence American foreign policy. It is a scandal that dwarfs Watergate. It involves the voting of billions of dollars of the taxpayers' money to a foreign government, with no strings attached. . . .

Whether called a free "study trip to Israel" or a campaign contribution, or an honorarium for speaking at an Israel Bond rally, it is still a bribe to the legislator for using his influence on behalf of a foreign power—and a bribe by any other name is still a bribe!"

A number of scholars have discussed Jewish campaign contributions in less passionate and critical terms. See, for example, Barberis, "Arab-Israeli Battle," p. 209, and William Quandt, "United States Policy in the Middle East," in Paul Hammond and Sidney Alexander (eds.), *Political Dynamics in the Middle East* (New York, 1972), p. 516.

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TABLE 5

Reported Honoraria to Selected Senators from Jewish Organizations, 1970–1973

Senator	*Reported Honoraria*
Jackson (D-Wash.)	$29,250
McGee (D-Wyo.)	17,125
Bayh (D-Ind.)	15,900
Ribicoff (D-Conn.)	10,900
Muskie (D-Me.)	10,500
Gravel (D-Alaska)	8,525
Baker (R-Tenn.)	7,350
Proxmire (D-Wis.)	6,425
Packwood (R-Oreg.)	3,550
Javits (R-N. Y.)	3,500
Pastore (D-R. I.)	3,000
Saxbe (R-Ohio)	3,000
Scott (R-Pa.)	2,000

evidence to support the contention that Jews as a group do contribute heavily to congressional and presidential campaigns.[19] However, it is not possible to determine accurately the size or the recipients of these campaign contributions. There is, however, another common form of financial assistance that is measureable, and that may serve as a surrogate for campaign contributions. It is an accepted practice for domestic interest groups to assist supporters in Congress by inviting the congressmen to speak to their conventions or working groups, and to pay these speakers honoraria for their remarks. Over time these honoraria, which generally range from $500 to $1500 per engagement, can add up to reasonably large sums of money. These open payments are matters of public record.

Table 5 lists some of the senators who received sizable sums during the 1970–1973 period. The question is whether such financial assistance affects the voting behavior of the recipients. There is, of course, a "chicken and egg" problem in imputing substantive meaning to the results of any correlation analysis, and this analysis is no exception. Critics of the pro-Israel lobby may argue that giving senators honoraria amounts to little more than an attempt to buy support for Israel. Supporters of pro-Israel group efforts, however, may argue that the honoraria represent a perfectly legitimate and widely used means of giving financial backing to those incumbents who have already demonstrated their willingness to vote in favor of Israel's interest. Our purpose here is not to resolve the broader, more important issue of why particular senators receive honoraria, but rather to examine the following proposition:

> Proposition 4. There will be a positive association between the total amount of honoraria received by a given senator and his support for Israel score.

[19] Rudeneh, "The Jewish Factor," pp. 98–104; David Nes, "Israel and the American Election," *Middle East International*, October 1972, p. 10; *National Report*, IV (January 8, 1972), 62.

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All of the publicly reported honoraria received by each senator from Jewish groups during the 1970–1973 period were totaled, and correlated with the senator's individual support score. The proposition is supported by the evidence. There is a moderate positive association ($r = .28$) between the amount of money received by senators for speaking to Jewish groups and their voting records on Israel-related issues. Those senators who received more total money from honoraria showed a moderate tendency to be more supportive of Israel than those who received less.

However, like the other possible sources of support for Israel we have examined, the "money" argument is applicable to only a subset of the senators who held office during the 1970–1973 period, and therefore can serve as only a partial explanation for the widespread support for Israel shown by the Senate as a whole. More than 65 percent ($N = 49$) of the senators reported no honoraria from Jewish groups, including 42 percent ($N = 8$) and 65 percent ($N = 22$) of those in the most supportive and strongly supportive categories, respectively. While it was generally the case that senators in the unsupportive and neutral and occasionally supportive groups were not invited to address Jewish groups, there were two notable exceptions. Senator Mike Gravel (D.-Alaska), who reported more than $8500 in honoraria over the three-and-a-half year period, and Sentor William Saxbe (R.-Ohio), who received $3000, were among the eight senators in the neutral and occasionally supportive group. The other sixteen senators who received more than $1500 in honoraria all fell into the most supportive and strongly supportive categories. Thus, while it is correct to conclude from the data that a substantial majority of senators who received the largest sums from Jewish groups were very strong supporters of Israel, one must also note that the bulk of the senators in the strongly supportive and most supportive categories received little or no money from Jewish groups.

A Multivariate Explanation

Most of the common arguments used to explain congressional support for Israel appear to have at least some factual basis. Senators who were either more liberal on domestic issues, or who had relatively larger Jewish constituencies, or who received larger sums in honoraria from Jewish groups showed some tendency to be more supportive of Israel than their colleagues. The only popular notion which was not supported by the evidence was that domestic conservatives were more likely to be stronger supporters of Israel than liberals. However, each of the explanations we examined was found to provide only part of the answer as to why some senators were more likely to vote in favor of Israel's interests than others. The strength of association between the explanatory variables and the support scores was generally in the weak to moderate range, and we could see from both the correlation and cross-tabulation analyses that single explanations did not account for the voting patterns of many senators.

As a final systematic effort to explain individual differences in support

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TABLE 6

Multiple Regression of Selected Independent Variables on Individual Support Scores

Independent Variable	*Beta*	*Simple r*
Percent Jewish population	.25	.34
COPE rating	.20	.32
Honoraria	.17	.29
Multiple r = .44		F = 5.82 with 3 DF
r^2 = .20		
Adjusted r^2 = .16		

among senators, we will combine the separate independent variables considered in the correlation analyses into a multiple regression model.[20] Our purpose is to see how much of the variance in voting styles can be explained by the factors we have previously identified. The results should also provide us with an idea of the "explanatory overlap"—the degree to which the different arguments explain the voting behavior of the same subset of senators—among the single-cause arguments found in the literature. Table 6 presents the results of the regression. The three variables in the equation—percent of Jewish population, COPE rating, and total honoraria received from Jewish groups—can account for only about 16 percent of the variance in individual senators' support scores, when adjusted for error. We can see from the standardized regression coefficients (betas) that in relative terms the percent of Jewish population appears to be the most important factor determining any given senator's voting record. However, in absolute terms, none of the three variables is particularly powerful, and the equation as a whole can explain relatively little variance in senatorial support for Israel.

Conclusions

In this study we have described the strength of senatorial support for Israel during the 1970–1973 period,[21] and examined in detail a few of the factors most commonly cited to explain why some senators are more supportive than others. Our

[20] Because the COPE ratings and ACA ratings were so highly correlated (—.95), inclusion of both variables would have distorted both the variance explained by the equation, and the standardized regression coefficients of the two "independent" variables. Consequently, only the COPE rating has been used in the model presented in Table 6.

[21] Additional roll-call votes indicate that the basic patterns of senatorial support established during the 1970–1973 period were not affected by the October war and its political aftermath. Support for Israel has remained reasonably constant in the post-October war period. For example, the Mondale amendment to the 1975 Continuing Appropriations bill (H. J. Res. 1131) to increase security supporting assistance to Israel by $200 million and increase military assistance to Israel by $100 million was adopted by a vote of sixty-five to twenty-six;

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conclusion is that while most of these popular notions shed some light on the phenomenon, their relationship to actual voting patterns is much weaker than might have been anticipated. More interesting than the differences in support accounted for by these frequently advanced ideas is the amount of variation that remains unexplained when we rely on these factors alone. Thus, while the results of the regression analysis point toward a multicausal explanation, it is obvious that we have not considered all the relevant explanatory variables. Unfortunately, some of the factors that are likely to have a significant impact on the nature and strength of congressional support for Israel defy quantitative measurement and may not even be amenable to systematic qualitative analysis. As a result, we can do little more than note their presence and the reasons why they are likely to be important, realizing full well that we cannot accurately gauge their effects on senatorial voting decisions.

One important factor is the direct lobbying efforts of domestic interest groups. While it is not possible to measure precisely the relative influence of pro-Israel and pro-Arab groups, there is little doubt that the greater organizational strength and activity level of domestic pro-Israel groups has resulted in considerable political payoffs in terms of congressional receptivity and willingness to make public statements in support of Israeli positions.[22]

Another relevant factor that probably affects the way senators vote is the policy preferences of their key staff aides. Senators are very busy people, and many tend to rely heavily on the judgments of their staff members concerning specific issues. Some analysts[23] argue that a major source of strength for the pro-Israel movement is the network of congressional aides who are openly supportive of Israel's interests and who work hard to convince their bosses and their bosses' colleagues to support Israel. In the absence of any strong countervailing pressures from pro-Arab groups we might expect those senators with only a marginal interst in the dispute to follow the path of least political resistance and vote as their staffs and colleagues suggest.

For some senators, however, the Arab-Israeli conflict is likely to be a very salient issue. Congressmen with presidential aspirations are likely to be sensitive to the fact that as they become more nationally prominent their voting records on Israel-relevant issues will be closely and publicly scrutinized by pro-Israel groups. A mixed record of support for Israel in the past may be sufficient for some Jewish groups to question a congressman's willingness to sup-

the Jackson amendment to the 1975 Defense Department Procurement Authorization bill to authorize unlimited loan credits for Israel to purchase American military equipment through 1977 was adopted by a vote of sixty-eight to twenty-two; and the 1975 Sinai Accords were approved by the Senate by a vote of seventy to eighteen.

[22] See Robert H. Trice, "Interest Groups Since October 1973," in J. C. Hurewitz (ed.), *Oil, the Arab-Israel Dispute and the Industrial World: Horizons of Crisis* (Boulder, Colo., 1976); and Robert H. Trice, *Interest Groups and the Foreign Policy Process: U. S. Policy in the Middle East* (Beverly Hills, Calif., 1977).

[23] For example, see Stephen D. Isaacs, *Jews and American Politics* (New York, 1974), p. 205 ff.

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port Israel if elected president. Such doubts could result in the withholding of Jewish financial and electoral support. The actual strength of domestic pro-Israel forces is not nearly as relevant as the political constraints that potential presidential candidates may perceive. Few men with either immediate or long-term visions of national office are likely to want to run the risks associated with openly challenging the political muscle of pro-Israel groups. The lack of any readily observable political benefits for assuming an anti-Israel stance, coupled with the prospect that such a position would be likely to alienate an identifiable bloc of American voters, may explain the support for Israel displayed by some senators.

Beyond these identifiable and separable sources of support looms the entire domestic political environment that surrounds the governmental policy-making system. The ability of pro-Israel groups to marshal and maintain the support of the mass media, mass public opinion, and broad cross-sections of associational life in this country such as organized labor and non-Jewish interest groups, have enabled them to amplify and disseminate their policy preferences far beyond the limits of their own organizational structures. Overlaying the specific sources of support that we have examined here is the general factor that for whatever reasons a particular congressman supports Israel, he is likely to be well in the mainstream of opinion in his home district or state. For many Americans, congressional backing for Israel has come to be generally expected, irrespective of the ethnic or religious makeup of the district. The pro-Israel sentiments of major, non-Jewish segments of the articulate public are probably at least as important in determining congressional support as the electoral and financial strength of the Jewish community in the United States.

Although it is a major if not impossible task, we must first fully understand the complex reasons that underlie the apparent affinities of diverse segments of American society for the state of Israel if we are ever to fully understand congressional support for Israel. For to the extent that congressmen are the primary media through which most domestic forces make their imprint on foreign policy, we should expect congressmen to reflect and be sensitive to broader and deeper currents of opinion within the general population. As the nature of these broader forces in the domestic environment change over time, so should the behavior of congressional policymakers. And only by expanding the scope of our analyses to include the nongovernmental processes that determine the direction and strength of domestic pressures on foreign policy issues will we be able to understand how and why Congress participates in the foreign policy process.*

* I would like to express special thanks to Martin D. Saperstein for his valuable assistance on this project. I would also like to thank John Thompson, the staff of the Polimetrics Laboratory of the Department of Political Science, and the staff of Instruction and Research Computing Center at the Ohio State University for their contributions to this effort. In addition, I would like to thank Lawrence Baum, Herbert Asher and Charles Hermann for their helpful comments on an earlier version of this article.

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Citizen Witnesses before Congressional Committees

JACK R. VAN DER SLIK
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The nexus between the governing elite and the lesser members of society who are governed is a recurring theme of contemporary political analysis. It is conceptualized variously as an elite-mass relationship, a polyarchal relationship, a representational relationship, and a democratic relationship. It is characterized normatively more often than it is examined empirically. The theoretical breadth of this issue means that any attempt at empirical inquiry is an exercise in microanalysis which can expose only a few tissues in the body politic. This is such a study, and it reveals some observations about relationships between members of the U. S. House of Representatives and citizens who appear as witnesses before its legislative committees.

Demands, Support, and Access

David Easton pointed out that demands are the raw material for political decisions and that support is the energy which keeps the political system running.[1]

[1] These ideas were initially sketched in "An Approach to the Analysis of Political Systems," *World Politics*, 9 (April 1957), 383–400. They are developed in detail in David Easton, *A Framework for Political Analysis* (Englewood Cliffs, N.J., 1965) and David Easton, *A Systems Analysis of Political Life* (New York, 1965).

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Metaphor aside, the relatedness of demands, supports, and decisions is a significant idea. Support, too often presumed or taken for granted in the past, can be nurtured in the processes of decision making. American constitutionalism enjoins popular participation and protects the rights of citizens to petition for redress of grievances. But structural and procedural arrangements shape the access people have to decisions and the decision makers. Access, "the opportunities to influence key points of decision,"[2] is critical to political systems because *"severe upper limits are set on effective participation in 'democratic' decisions by the sheer numbers of persons involved."*[3]

Access to the decisions of the national government is difficult for citizens to obtain. Recent history too painfully reveals the potential for isolation of the president from the people. The political campaigns for the presidency, despite their length, really offer little access. They emphasize candidate visibility, not opportunities to affect decisions. The courts are filled with people who do not want to be there. It is rare, even in cases brought by willing participants, for decisions to go beyond the litigants at hand and affect the substance of public policy. The ubiquitous bureaucracies touch citizens most and although there is frequent interactive touching, most of the accessible bureaucrats are those with least discretion in policy decisions. Access is to flak catchers and redress is getting personal attention for one's complaint—a casework solution.

By contrast, limited though it be, access to decisions of the national government and its decision makers is most available from the Congress, and there from its more numerous House of Representatives. Besides the access to individual representatives, "my congressman," Congress has institutionalized opportunities for people to appear before its committees. This could, of course, be as trivial as the Calendar Wednesday rule in the House, but there are good reasons to believe that this is far more significant. First, hearings are regularly conducted by all standing committees and subcommittees. From Woodrow Wilson to Richard Fenno the significance of congressional committees in shaping legislative decisions is firmly established.[4] Second, the sheer amount of effort expended on hearings is impressive. Our preliminary reckoning indicates that in 1974 alone, the committees of the U. S. House heard from 10,000 to 12,000 witnesses. Third, there is a range of practical political reasons for hearings. Froman sketches them in "functional" terms:

> The functions of hearings are many, including attempts by the chairman to provide public support or opposition for the bill (depending upon his predilections), to stall the legislative process, to act as a check on the executive branch, to "test" the proposed law in terms of popular and interest group support, to provide citizens with an

[2] David B. Truman, *The Governmental Process: Political Interests and Public Opinion* (New York, 1951), p. 322.

[3] Robert A. Dahl, *After the Revolution? Authority in a Good Society* (New Haven, Conn., 1970), p. 143.

[4] See Woodrow Wilson, *Congressional Government* (New York, 1956 [first published in 1885]) and Richard F. Fenno, Jr., *Congressmen in Committees* (Boston, 1973).

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opportunity to make their views known, and to give a chairman an opportunity to become visible to the general public. The functions of hearings, then, vary tremendously depending upon the legislation being considered and the purposes of the chairman or other members.[5]

Our purpose is to weave together a report from responses by persons we call citizen witnesses[6] who appeared before U. S. House of Representatives committees and subcommittees during 1974. We can describe who obtains access, what they did to obtain it, some characteristics of the demands they made, and evaluations of their experiences as witnesses. Using our elimination procedure we identified 1200 citizen witnesses. By industrious searching of telephone and professional directories, and by listing witnesses from small towns without street addresses, we constructed a mailing list of 869 respondents, who were each mailed questionnaires. Seventy-three were returned undelivered. Of 796 successfully delivered, witnesses returned 364 codeable questionnaires (46 percent).

Characteristics Associated with Access

It is no surprise to report that our witnesses are disproportionately drawn from the middle- and upper middle-class salariate (see Table 1). In education the mode and median education is a master's degree or its equivalent. Fewer than

[5] Lewis A. Froman, Jr., *The Congressional Process: Strategies, Rules, and Procedures* (Boston, 1967), pp. 42–43.

[6] We used information reported in *Congressional Information Service* (Washington, D.C., May 1974–July 1975). *CIS* draws upon published hearing records of Congress and lists the names of witnesses and usually their places of residence, employers, affiliations or professional identifications, and a précis of the viewpoint offered. We identified a witness pool for this study by deleting the following from consideration:

1. All members of Congress.
2. All spokesmen for federal agencies.
3. All spokesmen for national, regional, or statewide groups. Typically these are titled spokesmen: presidents, vice-presidents, directors for legislation, executive directors, and the like.
4. All Washington attorneys appearing in behalf of any person or organization other than themselves.
5. All corporation officers of substantial corporations or financial institutions.
6. All executives of states and large cities or their agencies. This includes elected executives as well as state and local department heads, directors, deputies, and the like.
7. All witnesses before the Appropriations Committee and the District of Columbia Committee. The Appropriations Committee hears entirely from agency representatives and members of Congress. The District Committee has a unique, quasi-city council function, which attracts Washington residents with local, rather than national concerns.

Subjective distinctions were made concerning ground rules (5) and (6). We cautiously included spokesmen from small firms, the so-called "mama and papa" companies. Where James Jones, president of James Jones and Sons Manufacturing Company, appeared, he was included among the witnesses. Executives of small town banks were included also. We inferred them to be local influentials and likely grass roots spokesmen for themselves and their neighbors.

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9 percent of the respondents report having obtained no college education. The mode and median annual income reported was between $25,000 and $49,999. Three-fourths of the respondents characterized their social and economic standing as middle class. It is interesting to note that more than one-third considered the families they grew up in to have been working class, and that similar percentages (about 6 percent) reported upper- and lower-class heritages. It is clear that most of our respondents are relatively high in socioeconomic status, but it is also interesting to note that more than 42 percent believe that their class standing is higher than that of the families in which they grew up. Most of the achievers only report a single step rise, while most of the remaining respondents indicate no change at all. Practically no respondents indicate downward mobility.

Expectably, most witnesses participate in electoral activities. When asked about their regularity in voting at elections, 83 percent of those who answered report "always" voting. During elections 74 percent say that they try to get people to vote for or against one of the parties or candidates. In the recent past (three or four years), 64 percent report having attended political meetings or rallies. In the same period 80 percent report having contributed money to a political party, candidate, or cause. In fact, 35 percent indicate having contributed more than $100.

It may be said that our witnesses are not strangers to any set of political authorities. Witnesses were asked to report on their contacts with policy-making authorities at state and local levels in the past three or four years. Table 2 shows the results. We know of no standard for comparison in the literature. Verbe and Nie report concerning their national sample that 10.7 percent of the population have contacted governmental officials outside their local community in writing or on a personal basis as group member. As individuals 5.7 percent had made such contacts.[7] Although the number of witnesses who have contacted officials does not exceed 50 percent for any category, 81.9 percent have contacted one or more such officials, by personal appearance, telephone, telegram, or letter —a very substantial level of political participation.

Entering the congressional arena as a witness clearly is atypical citizen behavior. It was our concern to know from where the initiative for such activity came. Our working hypothesis was that most of these activists would be self-starters, persons who were inner directed rather than other directed. Anticipating too that the witness experience might frequently be an occasion to "let off

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Similarly, we included state legislators, mayors, and councilmen from small towns and members of lay boards for schools, water districts, and the like.

Note too that rule (3) does not exclude spokesmen with a group affiliation of a local nature. Presidents of union locals, wildlife protection chapters, and other locally based groups are included among the citizen witnesses.

[7] See Sidney Verbe and Norman H. Nie, *Participation in America: Political Democracy and Social Equality* (New York, 1972), pp. 353 and 355. Percentages are based upon weighted *N*'s. The percentage 10.7 is a correction to that reported on p. 353.

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TABLE 1

Education, Income, and Social and Economic Class of Witnesses

Education Attained		*Current Income*		*Perceived Social and Economic Class*			*Steps Up or Down SES Ladder by Witnesses since Growing Up*	
		$ 7,999 or less	5.2%			*When*	Up 3	0.3%
Eight grades or less	1.1%	8,000 - 14,000	9.6		*Now*	*Growing Up*	Up 2	8.3
Some high school	2.5	15,000 - 24,999	26.2	Upper class	15.2%	5.8%	Up 1	33.9
Completed high school	4.8	25,000 - 49,999	42.4	Middle class	75.0	52.3	Same	55.5
Some college	12.1	50,000 - 99,999	13.1	Working class	8.9	35.8	Down 1	1.8
Completed college	11.5	100,000 or more	3.5	Lower class	.9	6.1	Down 2	—
Some graduate school	12.1		100.0%		100.0%	100.0%	Down 3	0.3
MA or equivalent	35.2							100.1%*
LLB or JD	6.2							
MD	9.9							
Academic doctorate	4.5							
	99.9%							

*Here and in subsequent tables in which percentages are totaled, differences from 100.0 are because of rounding error.

TABLE 2

*Witness Contacts with State and Local Officials in the Past Four Years**

Political Entity Contacted	*By Telegram, Letter, or Telephone*	*By Personal Appearance*
State legislature	50%	41%
Governor or his office	37	28
State agencies or departments	46	37
County officials	33	36
City council	28	33
Mayor or city manager	25	33
School board	20	23
School superintendent	22	24

*Total witnesses who have contacted state or local officials: 81.9%.

steam" and express hostility for policy makers or public policies, we expected a visceral and personalistic motivation. This was not the case. When asked the *primary source of initiative* for testifying, the responses were:

1. I took the initiative on my own	38.4 percent
2. It came from someone personally close to me (such as a family member of friend)	4.0 percent
3. It came from other associate(s) or acquaintance(s)	47.4 percent
4. I was asked by the committee	10.4 percent
	99.9 percent

The questionnaires supplied the first three responses. The last was written in specifically by a substantial minority as an elaboration on the "associate(s) or acquaintance(s)" response. For a clear majority, initiative had its source in others. Also we erred in expecting many to indicate that the witness experience was commonly one of "letting off steam" before policy makers. Asked the extent to which the witnesses used the occasion for "letting off steam"—"getting something off the chest," only 7.5 percent who answered indicated that it strongly applied. Nearly 69 percent answered the opposite, and about 24 percent gave responses between these two extremes.[8] Nevertheless, those who appeared as witnesses brought great personal commitment to the task. Seventy percent identified their individual desire and determination as preeminent in that commitment.[9]

Our next concern was with how witnesses obtained access. The data must

[8] For more analysis of the "let off steam" variable, see our paper, "The Safety Valve Function of Congressional Committees: A Preliminary Report on the Perspectives of Citizen Witnesses," presented to the Annual Meeting of the Southern Political Science Association, November 6–8, 1975, at Nashville, Tenn.

[9] The item asked, Which statement best describes your sense of *personal commitment* to the idea of testifying before a congressional committee: (1) I did it mostly because others wanted me to (8.5 percent); (2) I rather wanted to do it, but at least half the reason I did was because

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be considered with one caveat in mind. We can report the way our witnesses obtained their access and who provided them with assistance. However, our data do not demonstrate that such means and assistance were necessary or sufficient for access, only that they were reported. These data do not contain responses from people who attempted to become witnesses but did not follow through, were prevented from appearing due to personalistic considerations, or were denied opportunity at the committee stage of hearings.[1]

Nearly 63 percent of the respondents obtained their opportunity to appear as witnesses through direct contact with participants in the congressional process (see Table 3). Interestingly, half had contact with legislative staff. Note, however, that in identifying their contacts about one-third of the witnesses reported more than one contact, and frequently one of those was with staff. Doubtless there is a pattern of referral with follow up by staff. It was not surprising to us that the most common congressional member contact was with one's "own" district congressman, whether or not he was a member of the relevant committee. Also, committee chairmen are visible and a large portion of the witnesses had contact with that member. All other committee members are an access point for somewhat fewer witnesses than the chairman. There is little incidence of contact through other congressmen or senators. Unexpectedly, we learned that nearly half the witnesses with congressional contacts received congressionally initiated requests for testimony. Only one-quarter of those with contacts initiated the contacts themselves. For another 15 percent an intermediary got congressional personnel to contact the witness. Clearly, congressional personnel took a substantial part in bringing citizens into the hearing process.

Respondents identified a great many people, agencies, or groups who provided positive assistance to them in obtaining the opportunity to appear as a witness; in total, 447. Most of the "assists," 35 percent, came from congressional contacts, especially staff and members. Interest groups provided 34 percent of the assists, with groups identified about proportionately as national, state/regional, and local. Twelve percent of the assists came from administrative agencies, again proportionately national, state, and local. Witnesses mentioned their employers for 5 percent of the assists, while the category of "friends and neighbors" accounted for another 6 percent. This group contained references to academic or professional colleagues, business associates, and the like. Another thirty-five assists were from miscellaneous sources. In sum, assistance comes from quite a variety of quarters. The part played by interest groups is not surprising. We included among our witnesses spokesmen for local-level interest groups. It is not uncommon for national-level associations to tap or assist people from local units or chapters to bring a message to Congress. The initiative from Congress was previously noted. But it is evident that assists can come

[1] others urged me to do it (21.0 percent); (3) I wanted to do it, and got some encouragement from others that helped me follow through (32.9 percent); and (4) I was determined to do it, and I did (37.6 percent).

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TABLE 3

Contacts by Witnesses with Those in the Congressional System in Order to Give Testimony

A. Did you have any direct contact with representatives, senators, or congressional staff people?

Response	*Number*	*Percent*
Yes	228	62.6
No	129	35.4
No response	7	1.9
	364	99.9

B. If yes, with whom? (Check as many as apply.)

Response	*Number*	*Percent of 228*
The congressman from the district where I live	85	37.3
The chairman of the committee before which I testified	53	23.2
A congressman on the committee before which I testified	46	20.2
Congressional staff	115	50.4
Other congressmen or senators	14	6.1

C. If yes, what was the nature of your contacts with congressional people?

Response	*Number*	*Percent*
They were responding to *my* request to testify	60	26.3
They were responding to requests *from others* that I testify	33	14.5
They initiated a request that I testify	112	49.1
Other	18	7.9
No response	5	2.2
	228	100.0

from a variety of other places as well, and it appears that access can be won in a variety of ways by the resourceful people who actually obtained it. No group or agency is of overriding significance and none controls the flow of citizen witnesses to the congressional system.

Whose Message to What End?

It is normal practice to begin testimony with a prepared statement. Three-fourths of the citizen witnesses did so. Asked how the statement was prepared, almost three-fourths of them reported that they prepared it themselves with little or no help from others. Another 17 percent received some help but claimed that most of the ideas in their statements were their own. Only one in ten reported receiving quite a bit of help or of having delivered a statement prepared for them by others. Only 115 witnesses identified the sources of their help, with one-third citing interest groups, 36 percent crediting friends or their own staff, and most of the rest citing a variety of others. Only three individuals obtained help from government staff and two reported assistance from congressional staff.

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The literature on lobbying reports that spokesmen for interest groups appear before Congress to stop legislative initiatives. Lewis Dexter pens the argument this way:

> Probably, in terms of total manpower—certainly in terms of total *business* lobbying manpower—most lobbying is "defensive." That is, when some lelgislative proposal threatens to upset the established order, then lobbyists, professional and amateur, descend on Capitol Hill. This is natural enough; it is much easier to get successful people (the kind who finance and initiate most lobbies) exicted about having a favorable situation disturbed than to stir them up (at least in American society) about a contingent benefit."[10]

According to their own estimates, citizen witnesses do not have this purpose. Of those who identified their purpose, only 5 percent came to oppose change in policy. Another 38 percent came as advocates of change. The remaining majority offered a different view. They came to provide advice, information, and evaluation of either a proposed or existing policy as highly qualified and recognized experts. It is, of course, possible that claims to expertise were inflated in these self-assessments, but the rejection of the role of opponents of change is nearly unanimous among our witnesses.

The aim of our research was to discover the particularity of the witnesses' motivations and behavior. Certainly the great bulk of witnesses before Congress—those we excluded from our research—are group and agency representatives, most of whom are "long game" participants in the policy process. We sought to learn whether or not, or to what extent, citizen witnesses took part in coordinated efforts to affect public policy. Thus, they were asked, "Was your testimony given as part of a coordinated effort or strategy involving other witnesses?" Only 4 percent gave no response, while the rest were divided with 44 percent saying that it was and a few more, 52 percent, saying it was not. Coordination came from a variety of sources, but 63 percent of those appearing in a coordinated effort identified interest groups as the source of that coordination. Of these, more than half were coordinated by national groups, about one-third by local groups, and roughly 10 percent by state or regional groups. Also evident as coordinators were congressional personnel, usually staff, for 16 percent, and government agencies for another 9 percent. For the rest coordination was ad hoc or unidentified. The picture, then, is mixed. Citizen witnesses are mostly uncoordinated, but interest groups, especially national groups, obtain representation of their views through the presentations of people we have identified as citizen witnesses.

The particularity of citizen witnesses' messages was evident in the way they characterized their own testimony. We asked them to identify the specificity of focus in their testimony. Ignoring the dozen respondents who gave no answer, 31 percent said they had been highly specific, dealing in their testimony only

[10] Lewis Anthony Dexter, *How Organizations Are Represented in Washington* (Indianapolis, 1969), p. 62.

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with a few aspects of the policy issue around which the hearings were organized. Slightly more, 35 percent, described their testimony as dealing with specifics rather more than with general concerns. Twenty-six percent gave testimony discussing general policy issues more than specific concerns. Only 8 percent reported offering a broad-gauged view to the hearing, making wide-ranging comments on the policy subject at hand. Accordingly, we conclude that citizen witnesses tend to bring Congress rather specific information drawing upon their own career experience, professional training, or avocational interests—shrimp fishermen, pecan growers, wildlife enthusiasts, consumer economists—to sensitize policy makers to particular dimensions of broader problems. Where interest groups or public agencies are involved in these issues, interested citizens are willing to participate in and be coordinated by collective efforts, but they bring their own prepared statements, cite their own qualifications to authenticate their claims of expertise, and frequently advocate policy changes accordingly.

As a follow-up to their participation we asked witnesses about subsequent decision making in Congress. Rather than elicit highly subjective witness assessments about whether or not their own testimony affected the outcome of policy deliberation, we asked whether or not the committee had taken satisfactory ac-

TABLE 4

Witness Satisfaction with Policy Action by Committee and Congress

A. Did the *committee* eventually take action you considered safisfactory?

Response	*Percent*
Yes	39.8
No	29.9
Don't know	25.3
No response	4.9
	99.9

B. As far as you know, did Congress take further action on this matter?

Response	*Percent*
Yes	51.6
No	26.4
Don't know	19.2
No response	2.7
	99.9

C. If yes [to B, above], was that action satisfactory to you?

Response	*Percent*
Yes	31.9
No	12.6
Don't know	4.4
No response	51.1
	100.0

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TABLE 5

Witness Evaluations of Whether or Not Their Experience Was "Worth the Effort"

A. Have you been a congressional witness *again* since the occasion for which you were chosen for this questionnaire?

Response	*Percent*
Yes	13.2
No	86.5
No response	.3
	100.0

B. If you have not been a witness again, do you feel it would be worth the effort to appear again sometime in the future?

Response	*Percent*
Yes, very much worthwhile	51.4
Yes, mildly worthwhile	27.5
Not sure, don't know	7.1
No, probably not worthwhile	2.5
No, definitely not worthwhile	1.1
No response	10.4*
	100.0

*Most nonresponses were, as the question intended, from those who had appeared again, thus tangibly giving evidence that they believed the effort was very worthwhile. Several who had been witnesses since did, nonetheless, evaluate the "worth the effort" question.

tion and how Congress as a whole had followed up. As Table 4 indicates, there is quite a high degree of professed knowledge about subsequent congressional action. About 70 percent did assess the action taken in the committee and more than three-fourths claimed to know whether or not Congress took further action. Nearly 40 percent obtained satisfaction from the committee's policy action and 32 percent were satisfied by subsequent action in the Congress. We have no data for lobbyist or agency representatives, of course, but we suspect that congressional witness satisfaction rates are rather high, especially given the purposefulness and specificity of their testimony. It would be fatuous to infer that our witnesses obtained policy adoption by the articulation of their views. Nonetheless, their satisfaction levels are probably as high or higher than those of any set of combatants we might identify in the congressional arena.

Witness Evaluation of Their Experience

Easton points out that representative structures, especially legislatures, constitute a response to stress and serve as a structural means to regulate and encourage support for the political system. Statements and performances of authorities

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TABLE 6

Evaluations of the Witness Experience

A. What was your general evaluation of the witness experience?

Response	*Percent*
Deeply rewarding	17.0
Moderately rewarding	39.6
Slightly rewarding	17.9
No particular feeling either way	9.9
Slightly disappointing	5.8
Moderately disappointing	5.2
Deeply disappointing	3.8
No response	0.8
	100.0

B. Given your experience as a committee witness, how has your regard for Congress changed?

Response	*Percent*
I have much higher regard now	6.6
I have somewhat higher regard now	24.2
My regard has not changed	57.1
I have somewhat lower regard now	7.1
I have much lower regard now	2.7
No response	2.2
	99.9

constitute outputs that encourage support from members of the society.[11] We are interested, therefore, in the evaluations by which witnesses characterize their experiences and contacts. To what extent do they feel encouraged? To what extent were supportive attitudes engendered?

The witnesses are highly positive about the worthwhileness of their experience. As the data in Table 5 show, fewer than 4 percent of the respondents assessed their experience as less than worthwhile. More than half considered it very much worthwhile and 13 percent repeated the experience in the six months to a year and a half between the appearance we asked them about and the time they filled out the questionnaire.

Because the worthwhileness variable is such an interesting one, we looked at the responses to it in relation to numerous other variables. To be concise, it evidenced almost no association with most other variables. The experience was no more worthwhile for those advocating change than for those opposing. Those participating in coordinated witness efforts evaluated worthwhileness the same as those who were not. Witnesses with highly specific testimony and those with broad and general testimony were alike in evaluating worthwhileness. Sex, education, and income were not correlated with the worthwhileness variable. Even

[11] See Easton, *A Systems Analysis of Political Life*, pp. 247–256 and 348–362.

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TABLE 7

The Best (Most Satisfying) and Worst (Most Disappointing) Aspects of the Experience as Witness

Best	*Number*	*Percent*
Opportunity to participate	189	34.7
Positive comments about congressmen	95	17.4
Liked the interaction with congressmen	35	6.4
Liked civic education aspect of testifying	61	11.2
Experience seen as self-improving	51	9.4
Experience was an "ego boost" for the witness	43	7.9
Positive procedural comments	9	1.7
Positive comments about staff	8	1.5
Got positive action; felt efficacious	33	6.1
Remarks specific to a piece of legislation	5	.9
Miscellaneous	15	2.8
	544	100.0
Worst		
Negative comments about congressmen	68	16.0
Lack of attendance by committee members	68	16.0
Disliked interaction with congressmen	31	7.3
Experience not seen as self-improving	19	4.5
Negative procedural comments	104	24.5
Negative comments about staff	6	1.4
Got negative action or wrong action	65	15.3
Negative "political" comments	13	3.1
Negative comments about other witnesses	26	6.1
Miscellaneous	24	5.7
	424	99.9

witnesses' liberal or conservative values are not associated.[12] There was a mild association, however, with attitudes of trust in government. The greater the trust in government,[13] the greater the tendency to consider the witness experience as worth the effort. There was an expectably high correspondence between views of worthwhileness and feelings as to whether or not the experience was rewarding, and with reports of how witnesses' regard for Congress has changed. Table 6 indicates responses to those questions. Only 15 percent of the respondents were, on balance, disappointed in their experience, while three-fourths considered it rewarding. Apparently the witness experience itself changed the evaluations for about 40 percent of the respondents. Of those, about three-fourths indicate more favorable feelings of regard for Congress than previously.

[12] The questions were Likert items: "Reducing economic and social inequalities should be a high priority," and "There should be a top limit on incomes so that no one can earn too much more than others." See Table 10 below.

[13] See Table 9 below for wording of the question.

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For a more contextual assessment of the witness experience we asked each respondent to briefly identify the *best* (most satisfying) aspects of their experience as a witness and, conversely, the two *worst* (most disappointing) aspects. These were open-ended questions. The answers are categorized in Table 7. First, it is noteworthy that there are 28 percent more "best" responses than there are "worst." Witnesses had more "satisfying" experiences to relate than "disappointing" ones. It is evident from the "best" answers that the witnesses took great satisfaction from having the opportunity to participate. It was educational, self-improving, and ego boosting. Positive comments on congressmen outnumbered negative ones about three to two. On the negative side, there were many objections to the low attendance of congressmen or the brevity of the time they spent in the hearings. Most of the negative comments were about the procedures: having to wait too long, being cut short, being interrupted by recesses, and the like. Complaints about getting no action or the wrong action outnumbered reports of satisfaction for getting desired action about two to one. Interestingly, the sixth most common complaint was not about Congress or its procedures; it reflects negative comments by witnesses about other witnesses.

TABLE 8

Witness Assessments: What Congressmen Are Like in Committee Hearings

	Strongly Agree	*Agree*	*Uncertain*	*Disagree*	*Strongly Disagree*	*No Response*
(1) They are warm and friendly	13%	51%	14%	6%	1%	16%
(2) They are highly professional, businesslike	10	51	15	9	1	15
(3) They are open to persuasion	5	40	27	10	3	15
(4) They were interested in my views	19	48	17	4	1	11
(5) They hide their real views from witnessess	4	18	27	28	5	18
(6) They are obviously loyal to their party	5	22	39	12	2	20
(7) They depend too much on what staff tell them	7	15	33	24	3	18
(8) They just went through the motions of hearing testimony; they didn't really care	4	9	16	40	16	16
(9) They just pay attention to witnesses who support their own views	3	11	19	41	10	16
(10) I was allowed to witness because my views agreed with those of someone on the committee	3	9	9	37	26	17
(11) Citizen witnesses are given less regard by congressmen than professional lobbyists	6	13	37	20	9	16
(12) Congressmen manipulate witnesses to get things into the hearing record	3	18	27	27	7	17

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Another means of sensing the witnesses' responses to the hearing process and their resultant evaluations of congressmen and the way public policy is made was to ask for their agreement with a series of Likert items. Table 8 reports the data. There is strong agreement among witnesses that congressmen are warm and friendly as well as professional and businesslike (items 1 and 2). Nearly two-thirds reject the view that hearings are a ceremonial necessity which congressmen endure, but do not really care about (8), and that congressmen only pay attention to the views of witnesses who support their own perspectives (9). By a small majority witnesses agree that congressmen are open to persuasion (3), but one-fourth felt that congressmen do hide their real views from the witnesses (5). Items 4 and 10 were the most personalistic questions, asking about interest in "my" views, and whether "I" got access for agreeing to views of someone on the committee. Three-fourths thought their views were of interest. Three-fourths rejected the argument that they were allowed to appear because their views were in agreement with someone on the committee. There was a good deal of uncertainty among witnesses about whether or not congressmen are obviously loyal to their party (6), depend too much on their staff (7), or give less regard to citizen witnesses than to lobbyists, but on the latter item more citizen witnesses perceive parity than do not (11). There are substantial differences of view concerning whether or not congressmen manipulate witnesses in order to get things into the hearing record (12). In short, the witnesses express clearly positive feelings about congressmen in terms of their professionalism, friendliness, concern for citizens views, and real involvement in the hearing process.

To Congress watchers the favorable orientations toward legislators among citizen witnesses are both gratifying and encouraging. But do these views come from Pollyannas and wistful admirers of the political system? The witness appearances occurred in 1974 and the data were gathered in mid-1975. Louis Harris reported positive ratings of Congress from only 21 percent of the population in January and 22 percent in July 1975. In between, after Congress triumphed over Nixon, the rating rose to 38 percent before slumping back again.[14] The evidence is quite clear. As noted previously these people are frequent political participants at community and state levels. Many are partisan workers and campaign contributors. But more than that, their cynicism about the government is generally as high as that observed earlier by the Survey Research Center in the population. The witnesses' expression of trust in government is distinctly lower. Fewer than one-third of the witnesses think they "can trust the government in Washington to do what is right" most of the time (Table 9). It seems apt to say that despite chary views of government, the witnesses—educated, informed, and active—found Congress and congressmen open and receptive to their policy concerns.

[14] Louis Harris, "Congress: Lowest Rating Ever," The Harris Survey, *Chicago Tribune*, July 24, 1975.

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TABLE 9

Cynicism toward Government

A. How much of the time do you think you can trust the government in Washington to do what is right?

Response	*Survey Research Center, National Sample, 1970* *	*Citizen Witness Survey, 1975*
Just about always	6.4%	0.9%
Most of the time	47.1	30.9
Only some of the time	44.2	55.6
Almost never	–	11.5
Don't know	2.3	1.1
	100.0	100.0

B. Of the money we pay in taxes, do you think that people in government . . .

Waste a lot	68.7%	52.8%
Waste some of it	26.1	42.0
Don't waste very much of it	3.7	4.3
Don't know	1.5	0.9
	100.0	100.0

C. Do you think that quite a few of the people running the government are a little crooked, not very many are, or do you think hardly any of them are crooked at all?

Hardly any are crooked	15.9%	18.8%
Not very many are crooked	48.8	46.8
Quite a few are crooked	31.0	27.7
Don't know	4.3	6.6
	100.0	99.9

*Survey Research Center data are taken from Arthur H. Miller, "Political Issues and Trust in Government: 1964–1970," *American Political Science Review* 68, no. 3 (September 1974), 953. The first response category in the SRC question was "Always," whereas we asked "Just about always." SRC did not use the response "Almost never." SRC worded the tax question, "Do you think that people in the government waste *a lot* of the money we pay in taxes, waste *some* of it or *don't waste very much of it.*"

Agenda for the Future: Clues from Citizen Witnesses

Citizen witnesses are exemplars of the attentive public. They are politically involved. They know how to gain access to policy makers at every level. They have substantial personal resources, evidenced by their education, income, and associational contacts, and they are willing to bring them to bear on the political system. It is instructive, therefore, to look at their orientations toward the future and some of the issues that lie ahead.

An interesting contention in Edward C. Banfield's perspectives on *The Unheavenly City* is that the class cultures of the city sets limits on what policy makers can accomplish. Explicit in this perspective is the argument that "the individual's orientation toward the future will be regarded as a function of two

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factors: (1) ability to imagine a future, and (2) ability to discipline oneself to sacrifice present for future satisfaction."[15] Upon this suggestion we asked our witnesses to evaluate the view that high political leaders should plan and invest now for future needs and problems. The data are in Table 10, Question A. We know of no data in the political science literature with which to compare these findings. Nonetheless, we are impressed with how far in the future these respondents feel political leaders should be investing. Even counting nonrespondents, nearly two-thirds want national resources to be invested in a decade ahead or beyond. Nearly 40 percent would invest current resources into the twenty-first century. This is particularly interesting in that the median year of birth for all respondents is 1925.

Given the strong future orientations of the witnesses, as well as their demonstrated political efficacy, notice some of their value orientations. A majority are willing to reduce real spending levels for defense, and half of those would cut spending by 25 percent or more (Table 10, B). This is rather radical surgery on the United States budget. The witnesses have strikingly progressive views about federal income taxes (Table 10, C). A near majority of these upper middle-class salariate want high incomes taxed more progressively, with only a handful arguing for more regressive taxation. The greatest consensus for the future is expressed in the proposition to give up current pleasures so that future generations have petroleum and a clean environment (Table 10, D-1). The greatest dissensus expressed by the witnesses was on whether or not the United States must stay ahead of the Russians on nuclear weapons. Many (38.2 percent) think so, about a quarter disagree, another quarter are undecided, and the remainder made no response. Maintenance of a nuclear edge in weaponry is a continuing issue. The witnesses are not easily "red-baited" however. A clear majority think the United States should accept socialist governments in this hemisphere even if Communists are active in them.

There is a clear liberal-progressive bias among the witnesses concerning the domestic socioeconomic setting. Although a quarter of the witnesses either ignored the question or were uncertain, the remainder favored giving high priority to reducing economic and social inequities by a ratio of three to one. These are strongly "other regarding" responses from such high income respondents. It is noteworthy too that they do not reject governmental assistance for the needy (Table 10, D-8). Only one in five see charities as the best way to help the needy. Almost 50 percent disagree with that perspective.

Despite the liberal-progressive concern about inequality and helping the needy, there is not much interest in substantially reforming contemporary American capitalism. Few agree with the suggestions that big corporations should be taken out of private ownership or that a top limit should be put on incomes. In fact, it is noteworthy that these two questions received the most intense re-

[15] See Edward C. Banfield, *The Unheavenly City: The Nature and Future of Our Urban Crisis* (Boston, 1968 and 1970) esp. chap. 3; quotation from p. 47.

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sponses (strongly agree, strongly disagree) of all the items reported. However, few feel that workers have too large a role in plant management. We cannot presume what the responses would be had the item been reversed ("Workers have too small a role. . . "), but the number of intense responses was lowest on this item. We infer from these items that contemporary economic patterns are not subject to wholesale revision as far as these political activists are concerned.

Conclusions and Interpretations

Our assessments are limited by the character of our data. The data are drawn from respondents who obtained the opportunity and actually appeared before

TABLE 10

Witness Norms for Future Changes in Public Policy

A. What do you think is the *most distant future* that political leaders should be planning for and investing national resources in right now?

Response	*Percent*
The next year or 2	3.8
Three to 5 years from now	6.9
From 6 to 10 years from now	20.3
From 11 to 25 years from now	19.5
From 25 to 50 years from now	19.8
From 50 to 100 years from now	9.3
For more than 100 years from now	8.2
No response	12.1
	99.9

B. In the next 5 years the real level of defense spending (holding constant the effects of inflation) should be . . .

Response	*Percent*
Reduced substantially, 25 % or more	27.2
Reduced somewhat, less than 25 %	25.3
Kept about where it is	19.8
Increased somewhat, less than 25 %	12.4
Increased substantially, 25% or more	5.8
No response	9.6
	100.1

C. The United States federal income tax should be . . .

Response	*Percent*
Made more progressive; high incomes should be taxed more heavily and low incomes less heavily than they are now	47.5
Left alone; the burden on high versus low incomes is about right as it is	31.0
Made less progressive; low incomes are taxed too lightly and high incomes are taxed too heavily as things are now	6.9
No response	14.6
	100.0

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TABLE 10 *(continued)*

D. *Likert items*	*Strongly Agree*	*Agree*	*Uncertain*	*Disagree*	*Strongly Disagree*	*No Response*
1. I am willing to give up some pleasures during my life so that future generations will have such things as petroleum and a clean environment	29.9%	50.0%	6.9%	1.9%	0.8%	10.4%
2. The United States must always keep ahead of the Russians in strategic nuclear weapons	20.1	18.1	24.7	20.3	5.5	11.3
3. The United States should be prepared to accept socialist governments in Latin American countries even if the Communists play an important part in them	14.0	40.7	14.8	13.2	5.2	12.1
4. Reducing economic and social inequities should be a high priority	23.4	34.6	12.6	14.3	3.3	11.8
5. Big corporations should be taken out of private ownership and run in the public interest	5.2	4.9	11.5	30.2	36.5	11.5
6. Workers have too large a role in the management of the plants in which they work	3.0	13.5	20.6	40.7	10.7	11.5
7. There should be a top limit on incomes so that no one can earn too much more than others	4.7	7.1	10.2	34.6	32.1	11.3
8. The best way to help needy people is with nongovernmental assistance; appropriate approaches include the United Fund (United Way), church charities, and the like	5.8	15.1	17.0	36.5	12.9	12.6

a congressional committee. We do not have data from persons who wish to be witnesses but have not, nor those who tried in vain to obtain an opportunity, nor those who were invited but failed to use an opportunity. We cannot yet evaluate the extent to which access may be biased by the intentions of the gatekeepers. The following are the generalizations we can make about citizen witnesses: (1) *Witnesses are disproportionately drawn from society's upper strata.* Witnesses have inherited relatively high social standing. Clearly, however, they are high achievers in work, education, income, and political experience in their own right. (2) *Witnesses are highly active in public affairs in a variety of forms and at every level of government.* Unlike most Americans who consider politics a spectator sport, witnesses take politics seriously. The witness experience was not an anomalous or anomic act. It is consistent with a life history of politi-

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cal participation. (3) *Witnesses exercise personal and political resources to win access to congressional committees.* Access to Congress is limited, but witnesses believe in themselves, possess expertise, know who to contact and how. They are not pawns and messenger boys. They possess and expend their own resources to communicate their own message to policy makers. (4) *Witnesses are congressional supporters.* Although they are willing to criticize Congress and its processes, witnesses get on well with Congressmen. They like and respect members of Congress and generally hold Congress in high regard. This is true despite the fact that witnesses are not particularly trusting of government generally. Having presented their views, and with nearly one-third reporting that the committee subsequently took unsatisfactory action, the great bulk still feel that the experience was worthwhile and that they would willingly do it again; in fact, 29 percent have actively encouraged others to do it too. (5) *Witnesses support a long view of the future.* Because they are efficacious and articulate demanders, it is noteworthy that most favor reducing socioeconomic inequalities, more progressive taxation, less defense spending, and aiding the needy through public means. They are not overly concerned about the USSR or socialist governments in the hemisphere, but they support conventional capitalistic values for our own society concerning ownership of large corporations and opportunities to earn high incomes. They express the willingness to forgo some pleasures in their own lifetime to enhance the lives of future generations.

Our study of witnesses was prompted by concern about citizen access to key points of public policy making. From their reports it seems that access is relatively easy to obtain. Indeed, it is remarkable that when witnesses were asked about the "worst" aspects of the witness experience, none reported difficulty in obtaining access as a problem. They complain about their difficulties in getting to the hearing, the expenses, the waiting, the inattentiveness, and a variety of specific concerns, but no one commented on having difficulty getting on the witness roster. No one indicated that some congressman or staff person tried to prevent their appearance. There are, however, complaints that some of the other witnesses were not sufficiently knowledgeable, wasted time, and the like. We infer therefore that citizen witnesses are largely self-selected. It is necessary for the person to know about and be interested in a particular issue. That knowledge and interest must be sufficiently timely for one to be aware that a congressional committee will shortly be holding hearings. Then the person must either ask for access or accept an invitation to appear. Thereupon, the person must follow through with the appearance. The knowledge and sense of efficacy required no doubt constitute a high barrier in the self-selection process. Since the witness survey, we have completed some interviews with committee staff members. We are impressed with how rarely potential citizen witnesses' requests to appear are turned down. In fact, staff seek opportunities to include them on witness rosters. Self-selection can, of course, be highly discriminating, and the socioeconomic data given above confirm the point. The majority of witnesses are white, middle-aged males with incomes above $25,000 per year.

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The access obtained by witnesses is considerd to be real and significant. The witnesses take seriously the view that they had an actual opportunity to affect a policy decision of interest and concern to themselves. They acknowledge varying degrees of success and failure. Most held Congress in high regard before they got there, and nearly one-third held it in even higher regard after the experience.

We believe that the access afforded citizens by the committees and subcommittees of Congress is widely unappreciated by political observers. Its relevance as a mechanism for encouraging support for the political system and particularly for Congress should not be underestimated. Perhaps Congress itself should consider the discriminatory effects of witness self-selection. Certainly those who would reform Congress by reducing its committees and subcommittees should consider what consequences such changes would have upon citizen access.[16] *

[16] There is remarkably little discussion about facilitating the appearance of witnesses before House committees in the House's recent self-study. Representative Albert H. Quie called for increased use of field hearings—outside of Washington—for Congress to facilitate access by a greater variety of witnesses. See *Committee Organization in the House*, Hearings Before the Select Committee on Committees, H. Doc. 94–187, 93d Cong., 1st Sess., Vol. 1, pp. 292–293 and 296–297. There has been no follow-up to that suggestion.

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Observations on Political Legitimacy in Contemporary Europe

JOSEPH ROTHSCHILD

Before, during, and immediately after World War II, the viability of states was much discussed in political literature. Recently, however, that issue has waned as the international community has lowered its threshold requirements and definitions of what constitutes viability. States that would formerly have been deemed nonviable by virtue of their small size, awkward and indefensible frontiers, or meager human and material resources, are now normally and as a matter of course subsidized and sustained by the international community. Corresponding to this process in political life, there has occurred a simultaneous shift in the focus of political theory and political analysis away from the question of viability, and toward the issue of legitimacy as particularly important and problematical.

The attention currently devoted to this problem of political legitimacy stems in part from a widespread sense that the contemporary state, while viable enough in terms of that older concern and its newer standards, is nevertheless somehow out of phase with the world's travails—seemingly too small and weak to solve such global issues as inflation, yet apparently too big and remote to evoke that cathartic trust, identification, and admiration of its subjects which the state requires if its political system is to function. This essay probes some of the problems—of theory and of policy—confronting state authorities in contemporary Europe as they seek to achieve, sustain, and enhance their always vulnerable legitimacy.

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The Concept of Legitimacy

The study of the problem of legitimating political authority goes back to Aristotle who said that political power elicits compliance by the use of force, by the distribution of rewards, by education, or by some combination of these three procedures. In modern social science rhetoric, Aristotle's triad would be referred to as coercive, utilitarian, and normative techniques of rule. Plato, by analogizing the state to the household and family, and then by equating the ruler's authority with that of the father or, alternatively, of a physician (i.e., an expert), missed the essence of the political bond and thereby deprived himself of the chance to make a productive contribution to the analysis of political legitimacy. The most influential (and by now classical) modern discussion of the problem is Max Weber's elaboration of three types of legitimating norms for political power: the traditional, the charismatic, and the rational-legal. This paper proceeds on the assumption that the contemporary European political systems, both communist and noncommunist, are too advanced and developed for Weber's traditional and charismatic legitimations to play more than auxiliary roles, and that the central type for them must be the rational-legal one.

In contemporary political science, the discussion of the problem was explicitly reopened by Seymour Martin Lipset with his distinction between the effectiveness of political systems, which is judged by instrumental criteria and relates to their performance (often, nowadays, their performance in achieving modernization goals), and their legitimacy, which is an evaluative criterion and refers to a perception by their publics of their appropriateness and a belief by these publics that the regimes of such systems have a right to exercise political authority in their given domains. Depending on historical circumstances, effectiveness and legitimacy (as well as their negations) may characterize virtually any form of political organization, and the stability of political institutions both in normal times and in crises depends on their effectiveness and on their legitimacy.[1]

Of course, these two axes, effectiveness and legitimacy, can be distinguished for analytical and heuristic purposes only. In real political life they are not only relevant to each other, but interact organically. A perception on the part of its public that a system is legitimate can compensate—for astonishingly extended periods of time—for erroneous, inefficient, and ineffective performance (thus proving Locke rather than Hobbes the shrewder in assessing the likelihood and frequency of revolutions under certain conditions). Indeed, subjects and citizens who perceive a system as legitimate will even acquiesce in actions by it against their interests. Similarly, a high level of effectiveness in meeting the public's needs and interests will purchase at least some legitimacy for an initially illegitimate, revolutionary political system. Finally, even a traditional system, though fully legitimate, is subject to erosion and delegitimation over the long run if it becomes chronically incompetent or ineffective. In this sense,

[1] Seymour Martin Lipset, *Political Man* (New York: Doubleday, 1959), ch. III.

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legitimacy, like Ernest Renan's democracy, has to be re-earned constantly ("le plébiscite de tous les jours")[2] and no system stands still, forever legitimate, without being effective.

Indeed, some contemporary social scientists have even proceeded from this recognition of the organic nexus between legitimacy and effectiveness to argue that the former is merely a dependent function of the latter, and that the task of government is to educate public opinion to accept this sequence.[3] In other words, technology and science, translated into effectiveness and affluence, are to fill the void left by the waning of traditional ideologies of legitimation. Not only academic theorists but also ruling regimes sometimes subscribe to this seemingly attractive solution to their dilemmas of eroding legitimacy. Hence we have "goulash socialism" (i.e., the effort to buy public support through improved living standards and relative affluence) in East Central Europe and the sanctioned cult of rampant consumerism in the West. But for political regimes this is essentially a shallow and ever desperate perspective, because such a pseudo-ideology, which holds legitimacy to be a mere function of effectiveness, will leave them naked and without principled authority if their efficiency declines.

Effectiveness as a shortcut to legitimacy proves to be lame on political as well as administrative grounds. First of all, regimes and governments, even those of developed and advanced societies, are rarely as effective (at any rate in providing human and humane services) as is implied: garbage piles up, the environment is polluted, muggers control the parks and streets, schools perpetuate illiteracy, etc., even when the production of commodities remains relatively efficient. But there also comes a time when that commodity production itself can no longer be effectively organized without the system achieving a margin of legitimacy derived from a source transcending efficient production. Thus today in Gierek's Poland, the regime has difficulty providing goulash socialism because the public will not work hard enough to achieve it unless the regime first grants those human rights reforms which would further undermine the frayed ideological claims of the Communist monoparty. Thus the attempted circle of effectiveness-legitimacy-effectiveness is difficult to close, precisely because the regime lacks sufficient initial legitimacy to achieve the effectiveness in production necessary to its further legitimation. The gap in the would-be circle is probably due to the current influence of the intelligentsia on the proletariat, which contrasts with the compartmentalized political segregation of intellectuals from workers

[2] Ernest Renan, *Qu'est-ce qu'une nation?* (Paris, 1882), quoted by Hannah Arendt, *The Origins of Totalitarianism* (Cleveland: Meridian Books, 1958), p. 125.

[3] Thus Carl Friedrich, not a partisan of this school, notes its propensity to believe and to suggest that "the ruler who improves the standard of living will be considered legitimate." Carl J. Friedrich, *Man and His Government*, (New York: McGraw Hill, 1963), p. 243. For the argument that legitimation is a form of "reinforcement learning," see Richard M. Merelman, "Learning and Legitimacy," *American Political Science Review*, LX, no. 3 (September 1966), 548–61.

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at the time of the brief crisis which ousted Gomulka in 1970. By themselves, workers might indeed be sufficiently impressed by sheer material productivity to award legitimacy to a system that achieves it, but the professional intelligentsia, in the East as well as in the West, remains committed to extramaterialistic normative values. Knowing this, prudent regimes have usually sought to isolate intellectuals and workers from each other, especially in times of impending crisis, and have often succeeded: for example, France in 1968, USA in 1968–72, Poland in 1970, Yugoslavia in 1971, and the USSR periodically.

More subtle and sophisticated than the school that derives legitimacy from productive efficiency is the positivist-systemic school. According to this school, the political system is so autonomous that it creates its own legitimacy simply through longevity, clarity, economy, and enforcement-capability in administration, without reference to normative principles beyond itself or to an independently critical public.[4] This school, in turn, is criticized by Marxist and radical ideologists who caution that a political system is likely to prove unstable if its subjects' compliance stems only from habit, calculation, or sentiment without the reinforcement of legitimating principles that antedate the political system itself. They warn that such a system, having succeeded in debunking all former transcendental legitimating ideologies, will eventually find itself delegitimated through erosion of its own performance and hence of the public's compliance, and will, for all its modern scientific rhetoric, find no normative restraints within itself against the temptation to resort to coercion and repression.[5]

That these critics of political positivism and systems theory and jurisprudential decisionism are likely to be correct in their insistence on the continuing need and significance of nontechnocratic, normative legitimating principles is suggested by the observation that astute rulers and regimes generally treat challenges to their legitimating principles as ultimately more serious than other kinds of challenge. Only such principles, apparently, are believed to be capable of eliciting sustained, voluntary obedience to political authority, because they alone confer on that authority an aura of rightfulness. Charles II knew what he was about when he had the public hangman burn Hobbes's *Leviathan* despite that tome's ostensible defense of strong and comprehensive executive power, for Charles appreciated that the book's doctrine was compatible with any de facto regime, including Cromwell's, and that its twinned appeals to effectiveness as conveying legitimacy upon the sovereign and to interest as providing the sole basis for the obedience of the subject, were fundamentally subversive of his own extrasystemic claims to kingship by divine right. Furthermore, in highly

[4] For example, Niklas Luhman, as cited in Jürgen Habermas, *Legitimation Crisis* (Boston: Beacon, 1975), Part III, ch. 5.

[5] For example, see Habermas, *Legitimation Crisis;* Claus Mueller, *The Politics of Communication* (New York: Oxford University Press, 1973), ch. 4; John H. Schaar, "Legitimacy in the Modern State," in Philip Green and Sanford Levinson, eds., *Power and Community* (New York: Random House, 1969), pp. 276–327.

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ideologized political systems, challenges to the ruler's interpretation of legitimating principles are treated as grave heresies. Brezhnev perceives Roy Medvedev's neo-Leninist critique of the Soviet regime "from within" Marxism as no less corrosive than the "external" Slavophile and liberal delegitimations of Alexander Solzhenitsyn and Andrei Sakharov. And all three are regarded as far more serious challengers than M. A. Birman and his criticism of the system's economic and administrative effectiveness.

Legitimacy in Communist Europe

It is often alleged these days that for its operational (as contrasted to its rhetorical) ideology, the Soviet regime has, of late, substituted Russian nationalism for Marxism-Leninism. Even if this observation were correct, such a change would still evidence that regime's awareness of the need for legitimating principles which precede and transcend the political system itself and are not generated merely by its technocratic and administrative performance. But the observation itself is erroneous, or, at best, vastly exaggerated. Russian nationalism is undoubtedly of growing importance as a commitment of the Soviet *apparat*, but by itself fails to legitimate the political monopoly of that *apparat*, for the Party has no unique claim to incarnate it. Hence the continuing need by the Party and its cadres for Marxist-Leninist doctrinal legitimation. It appears that the Soviet Party elite—in contrast to those of several Communist regimes in East Central Europe—has succeeded in harnessing this Marxist-Leninist doctrinal legitimation together with nationalism in a manner adequate to give that elite subjective confidence in its ongoing legitimacy.[6]

Discussions of legitimacy and legitimation risk irrelevancy if they overlook this crucial dimension of a ruling elite's sense of its legitimacy and focus exclusively on the other dimension of the public's or the masses' perception of that elite's legitimacy. Indeed, it has been suggested that the masses intervene in history in a revolutionary manner only after becoming aware of an elite's loss of confidence in the legitimacy of its domination.[7] Surely this is precisely the pattern accounting for the eruptions in East Germany in 1953, Hungary and Poland in 1956, Czechoslovakia in 1968, Poland again in 1970 and 1976, and, perhaps, Yugoslavia in 1971. In the most recent of these bouts of mass effervescence, the Polish food-price riots of June 1976, the regime had felt so unsure of itself and its legitimacy and had, in consequence, so isolated itself in a defensive posture, that it plugged up the potential feedback pipelines from the public. Had the pipes remained open, they would have conveyed signals that

[6] Seweryn Bialer, "The Soviet Political Elite and Internal Developments in the USSR," in William E. Griffith, ed., *The Soviet Empire: Expansion and Détente* (Lexington, Mass: Lexington Books, 1976), especially pp. 45–51.

[7] Paul Kecskemeti, *The Unexpected Revolution* (Stanford: Stanford University Press, 1961).

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might have alerted the regime to the intolerability of its proposed price-policy innovations.

Closer examination of the sequence of the legitimacy crises, chronologically itemized in the preceding paragraph, suggests a secular change within that sequence of the issues at stake. Certain structural fundamentals of communist systems modelled on the Soviet pattern such as nationalized industry and collectivized agriculture, which had still been controversial and challenged in the 1950s, had apparently become more legitimate and accepted by the 1960s and 1970s. On the other hand, the Party *apparat*'s monopoly of power, curbing of human rights, and restrictions on dissent appear to have become progressively delegitimated, even within the elites as evidenced by their increasing oscillation between dogmatism and opportunism, with their resultant cynicism and anxiety. Hence the heavy task that faces these regimes is to legitimate, or relegitimate, themselves in the eyes of their own elites as well as in the eyes of their publics. This task is to be accomplished in conditions of relatively advanced economic capacities and relatively matured social systems, that is, in conditions that render both terroristic and charismatic rule obsolete and in which socialism in the minimalistic sense of noncapitalism is no longer at issue.

To the extent that the economic structures of socialism (as defined in East Central Europe) have matured and been widely accepted, it becomes increasingly implausible for the various Party *apparats* to claim to be the surrogate for the dictatorship of the proletariat that must defend its achievements against the calculated counterattacks of the reactionary classes. Nor does a "Khrushchevite" rationalization—that the Party supervises the performance of the economy—convince, since it begs two questions: Why is the Party *apparat* more competent than the technical intelligentsia to perform this monitoring function? And, how can the Party's élan and sense of mission, that is, its perception of its legitimacy, survive relegation to such a secondary and rather routinized responsibility? Finally, in conditions of international détente (assuming, for the moment, that détente in one form or another will remain operative over the next decade), an alleged Party mission as watchdog against international subversion will also sound increasingly hollow and can only be asserted intermittently, at best.

In the multiethnic states of Czechoslovakia and Yugoslavia the monoparty above-the-competing-interests may still have a credible legitimating role to play in containing, directing, regulating, or adjudicating the politicization of ethnicity. (Indeed, were the Soviet Party's *apparat* less overwhelmingly identified with Russian nationalism in its multiethnic state, it could perform such a function in the Soviet Union as well.) Though the military institution can also play a supraethnic role symbolically, it is not well equipped to perform such an integrating function politically. Hence the Party can here have an authentic legitimating and legitimacy-conferring task to perform. But in such relatively monoethnic states as Poland and Hungary, the Party's search for such a task is even more troubled than in the multiethnic ones.

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If the ruling Communist parties were to try to transform themselves more generally into the adjudicators of all the interests in a heterogeneous, pluralistic society characterized by participatory institutions, they would not only risk their Leninist self-image but also the reality of their authority. They might then either be sucked into that competition of social interests which they were supposedly adjudicating, thus sacrificing their autonomous guidance-and-direction function, and/or they would need to hold in reserve some rather clumsy levers for last ditch interventions when the competition of plural interests threatens to get out of control—witness, for example, Tito's belated over-intervention in Croatia in December 1971. In short, the trends of the mid-1970s reconfirm Richard Lowenthal's earlier observation that the European Communist regimes are impaled on a dilemma, one horn of which is the need to adapt to a mature industrial society, and the other is the need to relegitimate their power monopoly.[8]

Legitimacy in Noncommunist Europe

This essay has so far made no explicit distinction among such terms as *authorities, regime, political system,* and *state* in discussing the repositories and generators of legitimacy. Such discriminations become particularly helpful when turning to an analysis of the legitimacy problem in noncommunist European societies. Indeed, the failure to make such distinctions has misled even the usually judicious Richard Rose into a tendentious lapse. In an otherwise astute essay on the subject of legitimacy, he alleges the disappearance of Estonia, Latvia, and Lithuania as independent states in 1940 to have been an extreme example of legitimacy repudiated.[9] Now while it may well be that the governments and perhaps even the constitutional structures of these countries had lost legitimacy during the difficult decade of the 1930s, it is emphatically not the case that their status as independent sovereign states had been repudiated by their citizens or elites.[10] Their independence was terminated by coercive Soviet annexation under the terms of the Hitler-Stalin Pact of August 23, 1939, and not as the product of internal delegitimation. This episode is a sad reflection on the legitimacy (in a general, moral, sense) of the international system, not on the legitimacy (in this essay's more political sense) of these states in the eyes of their own publics.

In his discussion of political support-inputs into systems, David Easton has distinguished three objects of such support: the community (for example, "France" as a state); the regime (that is, the prevailing ideological values,

[8] Richard Lowenthal, "On 'Established' Communist Party Regimes," *Studies in Comparative Communism*, VII, No. 4 (Winter 1974), 356.

[9] Richard Rose, "Dynamic Tendencies in the Authority of Regimes," *World Politics*, XXI, no. 4 (July 1969), 610.

[10] Joseph Rothschild, *East Central Europe Between the Two World Wars* (Seattle: University of Washington Press, 1974), ch. 9.

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constitutional rules, and authoritative structures of the political game); and the authorities (the government of the day and other occupants of formal political authority roles).[11] This classification can also be productively applied to the analysis of legitimacy. When, for example, nineteenth-century French republican-secularists, royalist-clericalists, and Bonapartist-imperialists were ceaselessly seeking to delegitimate each others' regimes and authorities, none of them ever questioned (indeed, all vividly affirmed) the legitimacy of a unitary French state. In other words, the legitimacy of the political community per se was not at issue.

Applying this typology to contemporary Western Europe suggests that in at least one, very serious, dimension, the challenge to the legitimacy of several of its states is today potentially more serious than it was, and at least as serious (though in a different dimension) as in the East European countries. With the possible exceptions of the GDR, the USSR, and Yugoslavia (and even here some hostile wishful thinking may be at play), the other communist states do not appear to be targets of domestic repudiations and delegitimations as state entities. Even the most vehemently antiregime and antigovernment Poles, Hungarians, and Romanians affirm the desirability and legitimacy of the Polish, Hungarian, and Romanian states, even as they long for different political systems. By contrast, the Basque, Breton, Flemish, Scottish, Québecois nationalistic movements in the Western world appear to be intent on delegitimating the historic Spanish, French, Belgian, British, and Canadian states as political communities per se. Thus we appear to be witnessing an historically ironic reversal of the situation between the two World Wars when it was the states of Eastern Europe that were wracked by delegitimating secessionist and militant ethnic movements while those of the West appeared to be solidly legitimate nation-states. The change in Eastern Europe is largely a product of the considerable demographic simplification imposed during and after World War II: the Nazi extermination of Jews and Gypsies, the flight, expulsion, and exchange of other nationalities, and the redrawing of some frontiers. In the West, on the other hand, many long-dormant ethnic and national groups have recently reawakened to self-consciousness and political activism. Yet, just as the current travails of regime legitimation in Eastern Europe have an economic dimension, so, too, are the would-be delegitimations of some Western states based in substantial part on resentment and alienation over discriminatory modes in the structural incorporation of certain ethnic regions into the metropolitan economies.[12] Furthermore, the current Western antistate nationalisms, though indeed supported by such traditional elites as the local clergy and humanistic intelligentsia, in-

[11] David Easton, *A Systems Analysis of Political Life* (New York: John Wiley and Sons, 1965), chs. 11, 12, 13.

[12] For examples, see Michael Hechter, *Internal Colonialism: The Celtic Fringe in British National Development, 1536–1966* (Berkeley: University of California Press, 1975) and Milton M. da Silva, "Modernization and Ethnic Conflict: The Case of the Basques," *Comparative Politics*, VII, no. 2 (January 1975), 227–51.

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creasingly draw the endorsement of the modern industrial elite and the technocratic intelligentsia, and—perhaps most interestingly—are for the time being tilting toward the general political Left in a problematical but potentially potent association. They thus appear to be delegitimating the regimes and authorities as well as the states into which they are currently incorporated and it would be deceptive to dismiss them as merely parochial and reactionary *frondes*.

Despite the rise and potency of several newer twentieth century "isms," nationalism, or politicized ethnic consciousness, remains Europe's (and the world's) major ideological legitimator and delegitimator of states, regimes, and governments. A state's legitimacy depends heavily on the population's perception of the political system as reflecting its ethnic and cultural identity. Indeed, most people would rather be ruled poorly by their own ethnic brethren than well by aliens, occupiers, and colonizers. Entrepreneurial political elites seek to mobilize this sentiment in order to achieve statehood for their nation or to forge a nation from the population of the state. (The French are said to have been welded into a nation by their centralizing late medieval state, whereas the Italian nation preceded and created the modern Italian state.) Often, of course, competing elites will race each other to realize the one or the other possible pattern. Thus it is valid to ask but impossible to answer comprehensively whether the Québecois, Scots, Flemings, Croatians, or Ukrainians will achieve independent statehood before organic Canadian, British, Belgian, Yugoslav, or Soviet nations are molded—or whether the latter process will carry the day. (We omit any listing of developing countries undergoing the same dialectical tensions.)

No society or political system is today immune from the burgeoning pressure of ethnic nationalism, with its possible legitimating or delegitimating effects. Communist and noncommunist, old and new, advanced and developing, centralistic and federalistic states must all respond to the pressures of this ascendant ideology. The conventional academic wisdom used to claim that modernization and development would defuse and dissolve this allegedly primordial sentiment of ethnicity or, at a minimum, would relegate it to a species of folkloristic trivia. But today we must recognize that it is rather this conventional academic wisdom which has been reduced to triviality by the power of this ubiquitous and growing phenomenon of ethnic consciousness and assertiveness. Even urbanization, contrary to all expectations, intensifies it. Marxists have failed to come to intellectual terms with this movement which cuts across and negates their preferred, and supposedly more rational, class solidarities, while liberals, in turn, are rendered uncomfortable by ethnic insistence that ascriptive group-solidarity obligations have priority over individualistic choice-preferences.

Though ethnic political consciousness is today geographically universal, it has not been so historically. In the ancient and medieval worlds, rather few peoples resented or rejected rule by ethnic strangers and as recently as 1688 and

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1714 the British repudiated a native dynasty and replaced it with foreign ones —and this at a time when their sovereign was not yet a figurehead and still exercised extensive political and administrative powers. But by the mid-nineteenth century, the British refused to confer on their queen's husband, Albert, the honorific title of king-consort (which she had requested) precisely because he was a foreigner.

What had happened between the early eighteenth and the mid-nineteenth centuries is that the Lockeian concept of popular sovereignty as against rulers (a concept which had been ethnically indifferent) had become transformed into the Mazzinian doctrine of the self-determination of peoples *qua* ethnic communities. The engine of this transformation had been the French Revolution and the subsequent Napoleonic Wars which had changed the notion of "the people" from an a-ethnic agglomeration of autonomous individuals into a national community of ethnic brothers. *Fraternité*, which had originally been a cosmopolitan appeal, became a nationalistic rallying cry.

In the course of the nineteenth century, European politics was thus transformed from a series of dynastic issues—the wars of succession—into a series of national "questions"—the Polish, the Irish, and so on. World War I and the Paris peace treaties supposedly resolved many (but scarcely all) of these so-called national questions within Europe, but the demonstration-effect of the creation of a number of new national (or supposedly national) states on that continent predictably whetted the appetites of the Asian and African subject-peoples of Europe's colonial empires for their own states. Their demands, in turn, were largely granted after World War II.[13]

Neither in Europe nor elsewhere are most of the states that were created in this century in response to these nationalistic pressures true nation-states in the sense of incorporating within their borders all members of—but no more than—a single ethnic community. The facts of human demography are simply too intricate and convoluted to allow for such a neat and clean map of state borders exactly congruent with ethnic boundaries. Most of the world's states are multi-ethnic and yet the moral force of the norm of national self-determination remains extraordinarily potent. Indeed, it is today the world's major legitimating and delegitimating ideology for political authority.

Indices of Legitimation and Delegitimation

Does the concept of legitimacy have predictive utility? It is easy to be wise after the event and to find, say, in 1918 or 1959 that the Russian Tsarist or French fourth republican regimes had earlier exhausted their legitimacy. But can one identify and possibly even measure indicators which might signal in advance that legitimacy is eroding below (or accumulating well above) some danger

[13] The three preceding paragraphs draw on Walker Connor, "The Politics of Ethnocentralism." *Journal of International Affairs*, XXVII, no. 1 (1973), 1–21.

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line? The political sociologist, Reinhard Bendix, has likened political legitimacy to the confidence that a bank's depositors have in its soundness—a confidence that allows the bank to re-invest the depositors' savings elsewhere for extended periods on the secure assumption that they won't all decide to withdraw all their deposits simultaneously.[14] In other words, political legitimacy, like the bank's credit, is seen as an implicit mandate from the public (depositors) to the regime and authorities (managers) to rule (invest) in an expected manner. But are there readable storm signals which would warn regimes that a legitimacy crisis (run on deposits) is impending before it bursts on them? And who, ultimately, are the significant publics? A massive flight of capital from a country is a probable signal that the propertied classes no longer impute high legitimacy to its regime. But modern states resort to various devices to prohibit, prevent, stem, and mask such a flight of capital.

To pursue, for a moment, the bank-confidence analogy: every time a depositor withdraws a part of his deposit, he tests his implicit assumption that the bank is reliable. Should he have difficulty in making a valid withdrawal because the bank lacks the necessary reserves to cover it, his confidence would immediately vanish and he would take his business elsewhere. But in political life such tests are less frequently arranged, more difficult to interpret, and less likely to be immediately decisive in the event of a negative experience. Most citizens, most of the time, avoid testing a regime's authority. Similarly, most regimes, most of the time, avoid subjecting their publics to extraordinary, innovative, or unnecessary tests of support. Indeed, the political scientist's difficulty in assessing any extant regime's legitimacy gradient results precisely from this fact that in conventional political and administrative life regimes and publics "collude" in eschewing explicit, clear, readable test-signals. Furthermore, even a moderately negative political episode is not likely to prove decisive as a test of legitimacy. The citizen who deeply resents his particular tax assessment or his supposedly unfair traffic fine will not necessarily withdraw his confidence in the system's nor the government's legitimacy in the manner of the rebuffed depositor.

Authentic crises, on the other hand, will put that confidence to an acute test. Such crises may be general—war (especially a lost war), or personal, profound moral objections to a policy. A regime that masters such crises further enhances its legitimacy and, what is even more important, further strengthens the implicit bonds which hold the political community itself together. A regime that fails the test sacrifices a certain quantum of legitimacy. Thus the storm signals that might furnish predictive evidence about a regime's or a system's margin of legitimacy are to be observed in significant crises that fall short of an ultimate crisis, for example, its performance in a depression, a natural disaster, a war, in the face of extensive tax or draft evasion or administrative corruption. Neverthe-

[14] Reinhard Bendix, *Nation-Building and Citizenship* (New York: Doubleday Anchor, 1969), pp. 24–25.

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less, these storm signals are still wanting in predictive reliability about the legitimacy margin of any particular extant regime. But their very itemization suggests that it is not so much the failure to master any one crisis that will result in precipitous delegitimation, but rather a string of failures in the face of a series of such challenges extending over time. Legitimacy, after all, is not a binary quality that is either present or absent, but an incremental one that can be amplified or squandered. The Russian Tsarist regime's loss of the war against Germany between 1914 and 1917, for example, was but the last of a long train of sequential crisis-failures. So, too, the interwar Yugoslav regime and the postwar Fourth Republic in France had long records of failure before they were delegitimized by the German invasion of 1941 and the Algerian insurrection of the late 1950s. And in all these and similar cases, the failures were not only those of effectiveness but also failures to fulfill public expectations of normative principles, such as benevolence, supraethnicity, and equality.

The evidence to be evaluated in making a current or anticipatory assessment of a system's or a regime's or a government's legitimacy is, as Richard Rose has indicated, public support and public compliance.[15] But these two indicators are ambiguous and not easy to relate to each other. When the French bourgeois and peasant publics manifest low levels of compliance with the tax laws, they are probably not signaling a transfer of support from the current regime to an alternative one, but rather appear to be restating a venerable French judgment about the tolerability of any regime's authority over family property. Alternatively, high levels of compliance may reflect coercion, calculation, habit, apathy, or affection rather than authentic political support based on the imputation of legitimacy. Many regimes, furthermore, seem pragmatically (perhaps myopically) willing to settle for such a trade-off. One is reminded here of Caligula's alleged aphorism, "Let them hate me as long as they fear me," which indicated a readiness to be content with compliance secured through coercion, and of Kadar's authenticated maxim that "he who is not against us is with us," which signalled his disposition to interpret apathy as support. But would we construe either of these conditions as presumptive evidence of reliable legitimacy for a future crisis-contingency? Our answer is bound to be qualified. On the one hand, though personally erratic, mediocre, or gray, such rulers can and do borrow institutional legitimacy from the offices and structures which they occupy and which sustain them. On the other hand, being formal and rather abstract, legitimacy narrowly derived from a system may not suffice to carry a government through a thoroughgoing crisis.

Public and Elites

Whose support and whose compliance are significant? Our previous use of the term "public" has so far screened the fact that in any political system there are

[15] Richard Rose, "Dynamic Tendencies in the Authority of Regimes," *World Politics*, XXI, no. 4 (July 1969), 606–7.

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many publics with different political engagements, values, intensities, and weights. These publics elicit different levels of concern on the part of the regime as it strives to maintain legitimacy in their several judgments. Also, as mentioned earlier, one kind of public may be more inclined to award legitimacy to a regime in return for utilitarian gratifications, while another public will show greater concern for normative principles. Again, it is easy retrospectively but difficult prospectively to identify which specific publics are strategically critical to a regime's legitimacy. Even an astute observer of the American scene of the 1950s would have been unlikely to identify students as the coming delegitimators of the 1960s. Alternatively, Gomulka, believing that in the Poland of the 1960s the peasants were crucial to the authority of his government, coddled them—only to be ousted by the workers whose support he had stipulatively taken for granted and whose capacity and readiness to delegitimate him he had consequently underrated and misjudged. We can, however, here reiterate the earlier suggestion that those publics which are parts of the elite or of the dominant social categories are more crucial than others in that their defection and their loss of a sense of legitimacy in their own domination is likely to prove generally delegitimating because of its multiplier-and-demonstration effect. In other words, in assessing the legitimacy of a power-wielder, we must distinguish between the perceptions of other powerholders (including, to a certain extent, other regimes in the international system as well as domestic elites) and the perceptions of those (the proverbial masses) over whom power is exercised. Only in exceptional circumstances are the perceptions of this second category likely to prove decisive. History and contemporary life abound in examples of governments thoroughly unpopular with, and morally repudiated by, the masses nevertheless surviving by virtue of having preserved their legitimacy in the judgment of other power clusters, such as the armed forces, the bureaucracy, the national bank, or a multinational corporation. Alternatively, some popular governments fall because they are deemed illegitimate by such auxiliary power centers. Indeed, one austere definition of legitimacy would claim that governmental power is legitimate precisely and only to the extent that it can draw on reserves of power located in other power centers—implicitly on terms acceptable to those other centers.[16] But this again does not specifically predict (though it generally suggests) when this condition will or will not be met, that is, when the other (elite) centers will lend their authority to legitimate a government. When, for example, will an army assent or decline to disperse demonstrations—or, indeed, decide to oust the government? When will a bureaucracy or a judiciary precipitate the delegitimation of a government?

In practice these particular questions appear to be less acute in today's mature European states than in the so-called third and fourth worlds. (Nazi Germany has already illustrated the reluctance of the military and civil services to

[16] Arthur L. Stinchcombe, *Constructing Social Theories* (New York: Harcourt, Brace, and World, 1968), pp. 160–62.

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organize the delegitimation of an ideological movement-party in a developed society.) Nevertheless, the general proposition that, at the margin, the legitimacy of regimes and governments is conferred more by elites than by masses, does appear to apply to contemporary Europe, West and East. And its corollary is also plausible: that truly critical delegitimation of a regime begins with the moral and psychological defection of elites, whose very defection, or loss of a sense of legitimacy in their own domination, communicates to the masses the onset of a general crisis. And this capacity to delegitimate belongs, in the long run, as much to social, intellectual, and religious elites as to the more specifically political contending counterelites.

Conclusion

We close with at least as many questions as answers and with the traditional scholarly refrain that the problem merits further study. To revert to the opening theme: though rulers, governments, and regimes correctly view their legitimacy as essential and mobilize symbolic, substantive, and ideological political resources to enhance it,[17] they nevertheless suffer today from its widespread erosion—in Europe no less seriously than elsewhere. Furthermore, in a somewhat perverse acknowledgement of legitimacy's cardinal importance, they often seek to delegitimate each other across interstate and interideological frontiers and yet, in today's Europe, they also occasionally grope to halt this process as presumably irrational in the long run. Note here the ambivalences of the three "Helsinki baskets": the inviolability of Europe's post-World War II frontiers; economic, scientific, technological, and environmental cooperation; human rights and cultural cooperation. More than any other basis of support, legitimacy permits the containment of social cleavages and political conflicts before, and lest, they rend the community or the system asunder. Thus both the authorities and the society benefit from ample legitimacy. The former, because they can then make difficult and controversial allocation decisions at lowest cost and with the widest margin of support, even from those who disagree with them in particular instances; the latter because it is then assured that its values will be sustained and possibly even augmented.[18] Where legitimacy has been gravely eroded, regimes and governments are obliged to devote so much energy to defending their authority, that they cannot use it productively—to their own detriment and the community's loss. The most generous output

[17] Note, for example, that though Communist regimes ostensibly claim to derive their legitimacy from the laws of historical development, they also seek to draw on the supplementary legitimating bonus of (albeit rigged) elections. Hitler also occasionally organized plebiscites to supplement the "laws" of racial biology as his legitimation bases. Napoleon was particularly versatile in utilizing plebiscites, coronation, marriage to a Habsburg, and a concordat with the papacy as legitimating symbols.

[18] Cf. Peter G. Stillman, "The Concept of Legitimacy," *Polity*, VII, no. 1 (Fall 1974), 43.

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of material benefits, the most demonstrative mobilization of sheer power, the most dexterous manipulation of affective identifications (in short, even maximal effectiveness) will not fully substitute for normative legitimacy. Let the Europeans—both East and West—take note.*

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Soviet-American Politics and the Turkish Straits

ANTHONY R. DE LUCA

In light of the growing concern over Turkey's future in the NATO alliance at a time when Soviet interest and influence in the eastern Mediterranean have increased, the postwar test of diplomatic strength between the United States and the Soviet Union over the status of the Turkish Straits acquires greater significance. Since much of the 1946 debate concerning revision of the Montreux Convention involved an interpretation of Turkey's role as custodian of the Straits during the war, it is necessary to review in detail the origins of Turkish neutrality, Turkey's wartime record as guardian of the Straits, and discussions among the Allied powers relative to revision of the Montreux Convention. These episodes in the complex history of the Straits question constitute the immediate background and framework for the 1946 political and diplomatic confrontation; and the origins, outcome, and significance of that confrontation are critical to any understanding of the substance and texture of Soviet-American rivalry in Europe and the Middle East after World War II.

Diplomatic Prelude

As the threat to European stability mounted in the spring of 1939, Turkey proceeded carefully to improve its ties with France and Great Britain,[1] but

[1] For a complete and detailed account of the negotiations that took place in 1939 see V. M. Toynbee, "Anglo-French Negotiations with Turkey and the Question of the Consolidation and Enlargement of the Balkan Pact," Part II, section iv, *Survey of International Affairs, 1939–1946*, Vol. X, *The Eve of the War* (London, 1958), pp. 113–150. See also Llewellyn Woodward,

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waited until the outbreak of war in September to formalize its obligations by initialing a Tripartite Treaty which provided for mutual assistance in the event "of an act of aggression leading to war in the Mediterranean."[2] The treaty included a pledge by the Western powers to aid Turkey in the event of attack, while Turkey promised to assist France and Great Britain in fulfillment of their guarantees to Greece and Rumania. The signatories also added a special protocol stipulating that none of the obligations Ankara had undertaken would impel Turkey to go to war with the Soviet Union.[3] This protocol was to assume great significance during the war, when Turkish authorities refused to compromise their neutrality for fear of risking hostilities with the Soviet Union.

In an effort to reconcile the Soviets to the proposed treaty of mutual assistance, the Turkish minister for foreign affairs, Sükrü Saracoglu, visited Moscow in October. His mission, however, was a failure; Stalin and Molotov, acting in accordance with the spirit of the Nazi-Soviet Non-Aggression Pact, attempted to discourage Turkey from pursuing its new policy orientation toward Britain and France. Taking advantage of the circumstances surrounding Saracoglu's visit, Molotov went so far as to suggest the creation of a joint Turco-Soviet condominium for control of the Straits and to insist that any future negotiations were dependent upon Soviet acquisition of bases in the Sea of Marmora. The extreme nature of the Soviet demands forced the Turkish government to break off the Moscow negotiations and sign the Tripartite Pact on October 17.[4]

The obligations Turkey incurred were indeed limited; and the British Foreign Office was well aware of the restrictions on sending ships into the Black Sea according to the terms of the Tripartite Treaty and the terms of the Montreux Convention governing the use of the Straits.[5] The most the British could hope

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British Foreign Policy in the Second World War (London, 1962) pp. 12–15; Ferenc Váli, *The Turkish Straits and NATO* (Stanford, Calif., 1972), pp. 59–61; and Harry N. Howard, *Turkey, the Straits and U. S. Policy* (Baltimore, 1974), pp. 161–162.

[2] See *Documents on German Foreign Policy 1918–1945* (hereafter cited as *D.G.F.P.*), Series D, Vol. V (Washington, 1949–), Doc. #551, pp. 736–738; *Documents of the British Foreign Office* (hereafter cited as *F.O. Doc.*), Public Records Office, London F.O.-371, E6953/188/44, Vol. 20860. See also Falih Rifki Atay, "Die Türkei von Montreux," *Europäische Revue*, XIII (Berlin, February 1937), pp. 104–105; and Woodward, *British Foreign Policy*, p. 13.

[3] Woodward, *British Foreign Policy*, pp. 13–14.

[4] *D.G.F.P.* Series D, Vol. VIII, Doc. #268, p. 306; *F.O. Doc.* 9659/7373/44, Vol. 23866. For additional details concerning these negotiations see George E. Kirk, "The U.S.S.R. and the Middle East: 1939–1945," section i Turkey, *Survey of International Affairs: The Middle East in the War*, Vol. III, (London, 1952), pp. 443–445; and Feridun Cemal Erkin, *Les Relations Turco-Soviétiques et la Question des Détroits* (Ankara, 1968), pp. 160–170. According to Erkin's account of the meetings Saracoglu informed Stalin that as regards Soviet demands for modification of the Montreux Convention, Turkey would never repeat the example of the Treaty of Unkiar-Skelessi signed in 1833 which accorded Russia a privileged position at the Straits.

[5] For a record of the proceedings of the Montreux Conference and the text of the Convention see *Actes de la Conférence de Montreux: 22 juin-20 juillet, Compte Rendu des Séances*

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for was that Turkey would become a belligerent on their side in accordance with the Tripartite Pact of 1939 since there could be no recourse to the terms of the Montreux Convention to justify sending a fleet into the Black Sea if Turkey chose not to enter the war.[6] Thus the entire wartime issue of the Straits depended either upon Turkey's becoming a belligerent, or, in the event Turkey chose to remain neutral, upon how well authorities in Ankara observed the regulations governing the passage of warships.[7]

When Italy declared war on the Western Allies in the spring of 1940, both France and Great Britain requested the Turkish government to break off diplomatic relations with Italy, close the Straits to Axis shipping, and grant the Allies military and naval facilities.[8] Ankara, however, chose not to honor the mutual assistance pact and invoked Protocol No. 2 of the treaty providing Turkey with an escape clause based on the risk of becoming embroiled in hostilities with the Soviet Union. Moreover, Turkey argued that the collapse of France invalidated the tripartite agreement and therefore absolved Turkey of its responsibilities to enter the war.[9] Regarding the Straits, Ankara announced that it would observe a strict interpretation of the Montreux Convention,[10] which meant the Straits would remain closed to all belligerent warships, so long as Turkey remained neutral.

The events of 1940, however, placed Turkey in an extremely precarious

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Plenières et Procès-Verbal des Débats du Comité Technique (Paris, 1936). The text of the Convention with Annexes and Protocol can be found on pp. 301–310.

[6] *F.O. Doc.* R9633/7373/44, Vol. 23866; *F.O. Doc.* E10210/7373/44, Vol. 23866; and *F.O. Doc.* R7524/7524/44, Vol. 32870. Clearly, the likelihood of Turkey's granting the necessary facilities was remote so long as it remained neutral. Moreover, since Britain's guarantee to Rumania was unilateral, it could not be considered a pact of mutual assistance, and since Turkey was not party to this guarantee, the conditions outlined in Article 19 of the Straits Convention, providing for the application of mutual and regional assistance pacts "engageant la Turquie" did not apply. *F. O. Doc.* E10210/7373/44, Vol. 23866.

[7] I do not intend to enter into an extensive discussion of the question of Turkish neutrality during World War II. For anyone interested in pursuing the subject and its diplomatic significance in detail see George E. Kirk, "The War and the Neutrals: Turkey," section vi, *Survey of International Affairs: 1939–1946*, Vol. IX (London, 1956), pp. 345–366. For a recent account and assessment of Turkish neutrality see Howard, *Turkey, the Straits and U.S. Policy*. Of particular interest is Chapter IV, "The Entry of Turkey into World War II," and the author's summary observations on Turkey's position in the war where he develops the case for Turkey's having "remained a faithful nonbelligerent ally of Great Britain" throughout the war, pp. 208–209. For a more expansive defense of Turkish neutrality see Erkin, *Les Relations Turco-Soviétiques*, pp. 185–285. According to Erkin, Turkey calculated that if it did not go to war, the Soviets would exploit the issue of Turkish neutrality; if it did go to war, Turkey would be weakened militarily and subject to the fate of Poland. Faced with these options, Turkey chose to pursue a policy of "benevolent neutrality" in anticipation of the day when Russian imperialism would reappear as an inevitable consequence of Allied victories (pp. 226–229).

[8] Kirk, "The War and the Neutrals," p. 347.

[9] *D.G.F.P.* Series D, Vol. IX, Doc. #431, p. 566, and Doc. #464, p. 595.

[10] Ibid., Doc. #137, pp. 199–200.

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position. In the summer and fall of that year the Soviets attempted to capitalize on the collapse of the Western alliance and wring from Turkey acceptance of a joint project for control of the Straits. During his conversations with Hitler and Ribbentrop in November, Molotov managed to acquire their approval for a revision of the Montreux Convention in favor of the Soviet Union but failed to obtain from Berlin any concrete commitments concerning a guarantee "in reality," and not on paper, against an attack on the Soviet Union in the Black Sea.[11] To Moscow "effective guarantees" meant bases and a share in the defense of the Straits—an arrangement Turkey was unwilling to concede and Germany unwilling to endorse.

Germany's differences with the Soviet Union concerning the disposition of the Straits and the Balkans ultimately contributed to the demise of the August 1939 *marriage de covenance*[12] which, having managed to survive the winter of 1940–1941, eventually collapsed when Hitler resolved to launch his fateful invasion of the Soviet Union on June 22. Germany's march into Russia not only determined the eventual outcome of the war, it also had a significant impact on the particular issue of the Straits. Since the outbreak of the war Ankara had remained suspicious of Soviet designs upon Turkey; and Hitler's speech on June 23 making public Molotov's demands of the previous November for bases in the Straits coupled with the Soviet Union's behavior in Finland and the Baltic states did little to dispel the specter of renascent Russian imperialism. The news of Eden's visit to Moscow in December 1941, followed by the conclusion of an Anglo-Soviet Treaty of mutual assistance on May 26, 1942, added to Turkey's growing apprehensiveness given the possibility that Moscow and London might achieve an understanding at Turkey's expense. Despite joint assurances by Britain and the Soviet Union concerning their strict adherence to the Montreux Convention and their intention to observe the integrity of the Turkish Republic, authorities in Ankara continued to fear that Britain might either be unwilling or unable to protect them from Soviet demands.[13] Of course, German propaganda was only too willing to fan the flames of Turkey's suspicions in the form of a "whisper campaign" conducted by the Foreign Ministry in Berlin accusing Eden of having granted the Soviets a free hand in the Straits. In light of these developments and Germany's commanding position in the eastern Mediterranean it is not surprising that the Turkish government greeted the news of Hitler's advance against the Soviet Union with enthusiasm.[14]

[11] Ibid., Doc. #325, pp. 528–539, and Doc. #328, pp. 560–561.

[12] *F.O. Doc.* R7474/242/44, Vol. 25015.

[13] *F.O. Doc.* R6600/2095/44, Vol. 30129; and Woodward, *British Foreign Policy*, p. 325. See also Kirk, "U.S.S.R. and the Middle East," pp. 451–452.

[14] Immediately before the Nazi invasion of Russia, Ankara had signed a Treaty of Friendship with Berlin in which both states agreed to respect one another's territorial integrity and to settle all disputes affecting their common interests by peaceful means. There is no evidence to suggest that Turkey possessed any advance knowledge of the German attack which might have influenced Ankara to sign the agreement with Berlin. The explanation for this treaty

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In the spring of 1941 the British were willing to concede Germany's effective control of the Straits as a result of Axis preponderance in the Balkans and the Aegean. The Foreign Office felt, however, that Berlin would not want to use the Straits for the passage of warships, as the Axis had all the facilities it required and further potential bases in Greece. But Germany did require use of the Straits for merchant shipping in order to increase its oil and chrome supplies, and there was nothing in the Montreux Convention to prevent Germany from doing so. From the British standpoint the prospect of Turkey's agreeing to close the Straits to Axis shipping was bleak, and the British faced the inescapable conclusion that Ankara, given the present set of circumstances, would find itself forced to interpret the convention in Germany's favor.[15]

World War II and Turkish Neutrality

A very important aspect in any discussion of the Montreux Convention involves an evaluation of how Turkey interpreted the rules of passage for the period 1941–1945, since the postwar debate concerning the necessity for a revision of Montreux rests upon an assessment of Turkey's wartime record as guardian of the Straits.[16] In his recent study, *The Turkish Straits and NATO*, Ferenc Váli observes that "Turkey endeavored to apply the Montreux Convention as best she could during the difficult wartime years." He notes the commanding position of the German war machine in the Aegean, and how as a result of this strategic configuration "the entry of the ships of Western Allies into the Straits . . . became impossible until late 1944." This observation corresponds exactly to the facts of the situation. The other side of Vali's thesis, however, in which he maintains that "despite the pressures exerted on Ankara by Berlin (and the counter-pressures by Moscow and the Western Allies), the Turkish Government managed to prevent the passage of forbidden craft through the Straits," and "when misled by camouflage, it prohibited renewed entry of each ship as soon as the real character was discovered"[17] requires further examination in view of the fact that Turkey's willingness to observe a strict interpretation of the Montreux Convention was not as clear-cut as Váli would lead us to believe.

In the spring and summer of 1941 the Axis succeeded in testing Turkey's interpretation of Montreux by sending two Italian naval auxiliaries, the *Tar-*

seems to lie more in Ankara's desire not to provide Germany with any pretext for an invasion of Turkish territory. As for Turkey's enthusiastic support of the German advance, this too can be explained in light of Germany's commanding position in the eastern Mediterranean. Kirk, "U.S.S.R. and the Middle East," pp. 449–455. See also Kirk, "The War and the Neutrals," pp. 350–353; and Erkin, *Les Relations Turco-Soviétiques*, p. 205.

[15] *F.O. Doc.* R5235/2095/44, Vol. 30129.

[16] Howard dismisses the issue of Turkey's role as guardian of the Straits in the following sentence: "There was little difficulty, as such, with the problem of the Turkish Straits during the war, despite objections raised from time to time concerning the passage of German naval vessels." *Turkey, the Straits, and U.S. Policy*, p. 163.

[17] Váli, *The Turkish Straits and NATO*, p. 61.

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visio and *Urano*, out of the Black Sea into the Mediterranean. The British claimed that according to a strict interpretation of the convention these ships should not have been granted passage. But Turkish authorities, favoring a "liberal" interpretation, maintained that these vessels could exercise the freedom to return to their home ports after the outbreak of hostilities according to the provisions set forth in Article 19 of the convention.[18] When the Italians attempted in August to secure the reentry of the *Tarvisio* into the Black Sea by claiming the vessel was no longer a warship, on the grounds that it had recently been converted into a merchant ship, the British reacted immediately for fear that the second passage of the *Tarvisio* would set a dangerous precedent by enabling Rome to send ships through the Straits as merchant vessels, only to convert them into naval auxiliaries once they had entered the Black Sea. When the British requested the Turkish government to lodge a formal protest against Rome's action, officials in Ankara demurred in favor of a note informing the Italian government that Turkey would not provide pilotage for these ships through waters that were heavily mined.[19]

Other incidents, no matter how displeasing to the British and the Soviets, proved Turkey was acting within the limits of the convention. For example, in the spring of 1941 the Germans sent two merchant vessels, the *Delchow* and the *Larissa* through the Straits with materials and supplies en route to the Dodecanese Islands. Although the British would have liked to prevent the passage of these vessels, officials in London acknowledged that there was nothing in the Montreux Convention interdicting their passage. Consequently, the Foreign Office considered it satisfactory that Turkey had at least notified the British of the passage of these two ships, especially since London realized that there was no likelihood of the Turkish government's declaring an "imminent threat of war" and barring passage to this type of vessel under the terms of the convention.[20]

A more delicate issue involved the passage of the German vessel *See-Falke* in the summer of 1941. Since this ship could readily be converted into an armed patrol craft, both the British and the Soviets were apprehensive that the Germans might seek in the future to send their E-boats (high-speed torpedo boats) through the Straits. According to the letter of the convention, these vessels could pass without contravening the restrictions applicable to warships, since they displaced less than 100 tons. But despite their limited tonnage these vessels were in fact naval auxiliaries; and in this instance London and Moscow made repre-

[18] *F.O. Doc.* R1689/2095/44, Vol. 30129; *F.O. Doc.* R6242/2095/44, Vol. 30129; *F.O. Doc.* R6296/2095/44, Vol. 30129; and *F. O. Doc.* R6351/2095/44, Vol. 30130.

[19] Although Ankara's action did not conform to the letter of the Convention, it did have the effect of preventing the return passage of the *Tarvisio*. In explaining the reasons for the methods chosen by Turkey to prevent the passage of Italian auxiliaries, the Turkish foreign secretary referred to his government's desire to avoid the risk of becoming involved in hostilities and expressed the hope that His Majesty's government "would realize that the Turkish Government was doing everything it could to assist Great Britain." *F. O. Doc.* R7999/2095/2095/44, Vol. 30129.

[20] *F.O. Doc.* R7563/2095/44, Vol. 30129; and *F.O. Doc.* R7910/2095/44, Vol. 30130.

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sentations in Ankara to have the Turkish government observe the spirit rather than the letter of the convention.[21]

In June 1944, when the fortunes of war had definitely shifted in favor of the Allies, the issue concerning illegal passage of naval auxiliaries finally reached a climax. The Germans had succeeded in acquiring Turkish authorization for the passage of twelve vessels of the *Ems* class or *Kriegs Transport* variety. Subsequent investigations proved these ships had been granted passage due to faulty inspection by Turkish officials. A later inspection of the German ship *Kassel* (also of the *Ems/Mannheim* class) revealed that the Germans had dismantled the ship's guns solely for the purpose of passage,[22] precipitating a showdown within the Turkish cabinet on June 15, when, at the request of President Ismet Inönü, the government announced that in view of the evidence obtained Turkey would no longer grant passage to this type of naval auxiliary. Numan Menemencioglu opposed the cabinet's decision, arguing that since the convention authorized passage of ships in this category, the question should be referred for legal opinion. The Turkish foreign secretary apparently pursued this line of reasoning so as not to weaken Turkey's future authority under the convention and at the same time to soften the blow for the Germans. But he found himself in the minority, and when faced with the threat of prosecution of any officials found guilty of negligence or inadvertence in inspection, he resigned—to be succeeded temporarily by Saracoglu.[23] In effect, the change of foreign secretaries meant that the Turkish cabinet no longer supported Menemencioglu's legalistic arguments and had decided not to permit the passage of German fleet auxiliaries in the future.

The dramatic shift in the fortunes of war also led to Allied advocacy of a liberal interpretation of the Montreux Convention. When in the fall of 1944 the Soviets expressed a desire to receive twenty-four minesweepers from the United States in the Black Sea, the Foreign Office admitted that Britain's previous stand in favor of a strict interpretation, when it came to the passage of German warships, now complicated the question. The British also realized that it would be difficult to secure passage given the outstanding legal obstacles. Instead they chose, as had the Germans, to place the question on a political level

[21] The *See-Falke* incident and subsequent discussion of E-type vessels pointed more directly to certain deficiencies in the Annexes of the Montreux Convention than it did to the issue of Turkish neutrality proper which helps to explain why revision of Annex II of the Convention defining warships and naval auxiliaries was a subject of negotiations during the final stages of the war. *F.O. Doc.* R4099/2095/44, Vol. 30129; *F.O. Doc.* R7594/2095/44, Vol. 30129; *F.O. Doc.* R7793/2095/44, Vol. 30130; and *F.O. Doc.* R820/820/44, Vol. 33377. The same consideration arose over the passage of German F-barges which Turkish authorities had approved in 1943, since these barges did not appear on any list of military auxiliaries. *F.O. Doc.* R1130/284/44, Vol. 37054.

[22] *F.O. Doc.* R9286/3830/44, Vol. 44164; *F.O. Doc.* R9636/3830/44, Vol. 44164; and Erkin, *Les Relations Turco-Soviétiques*, pp. 273–277.

[23] *F.O. Doc.* R9637/3830/44, Vol. 44164; and Kirk, "The War and the Neutrals," pp. 361–362.

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and advised the Soviets to make representations in Ankara in favor of a liberal interpretation of the rules of passage.[24] These developments indicate the degree to which strategic and military considerations were paramount in any discussion of the Straits question and the extent to which the roles of the combatants had been reversed in the summer of 1944.

In conjunction with the shipment of lend-lease supplies via the Black Sea route, the British and Americans felt Turkey should take advantage of recent developments in the Mediterranean to improve its relations with the Soviet Union.[25] Throughout the war Turkey's policy of protracted neutrality had taxed Allied patience, but nowhere more than in Moscow had this policy incurred such an unfavorable reaction.[26] Washington went so far in January 1945 as to suggest the text of a communique the Turkish government should issue in welcoming the passage of lend-lease supplies. Initially, the Turkish government did not look favorably upon the draft communique's reference to shipments of supplies bound for the Soviet Union. According to the British and the Americans, the purpose of referring to these shipments in connection with the reopening of the Aegean was to make it plain to the whole world, including the Russians, that it was not Turkey who had been responsible for closing the Dardanelles. Turkish officials apparently appreciated the force of the Western Allies' argument, and on January 16 Ankara issued a statement corresponding almost verbatim to the draft communique.[27]

Allied Policy and the Straits

Parallel to detailed negotiations concerning rights of passage, discussions of a much broader significance had been taking place among the Allies concerning the postwar status of the Straits. In a conversation between Churchill, Roosevelt, and Stalin on November 30, 1943, at Teheran, Stalin raised the question of "warm water" ports. Both Churchill and Roosevelt agreed that there should be some revision of the Montreux Convention, but Churchill preferred to table the question so as to avoid disturbing the Turkish government and enable Turkish officials to reexamine their policy of neutrality. The prime minister did imply that if Ankara failed to enter the war, Britain "would take a cold view" of Turkey and advise Ankara to discuss its affairs with the Soviet Union—"at any rate to a large extent."[28]

During Churchill's visit to Moscow in October 1944, Stalin put forward Rus-

[24] *F.O. Doc.* R13309/3830/44, Vol. 44164; *F.O. Doc.* R15241/3830/44, Vol. 44164; and *F.O. Doc.* R16185/3830/44, Vol. 44165.

[25] *F.O. Doc.* R17792/3830/44, Vol. 44165.

[26] For a discussion of the effect this policy of protracted neutrality had upon Turco-Soviet relations see Kirk, "The War and the Neutrals," pp. 363–366; and Kirk, "The U.S.S.R. and the Middle East," pp. 455–62.

[27] *F.O. Doc.* R1419/44/44, Vol. 48697; and *F.O. Doc.* R1695/44/44, Vol. 48697.

[28] *F.O. Doc.* R20942/44/44, Vol. 48699.

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sia's demands for revision more forcibly than he had at Teheran. He complained that Turkey could "grip Russian trade by the throat" and by closing the Straits hamper Russia's defenses. He also emphasized that Turkey should not possess the right to decide unilaterally whether or not to close the Straits. The prime minister admitted that Turkey had missed its chance to come into the war after the Teheran Conference, and he conceded "Russia had a right and moral claim" for access to the great maritime routes of the world.[29] Elaborating on his conversation with Stalin, Churchill expressed the view to Eden that Britain had no need to fear the movement of a Russian fleet through the Straits and that it was dangerous to keep the Russians from "broad waters." The prime minister also felt Eden's assurance to the Turkish government, following the foreign secretary's first visit to Moscow, that he would never discuss with a third power matters affecting Turkey without prior consultation, "was more than voided" by Turkey's refusal to come to Britain's aid in January 1943.[30]

The Foreign Office was willing to concede that certain technical aspects of the convention needed to be updated. For example, the convention had been drafted to fit into the framework of the League Covenant, the Annex to the convention made no provision for naval craft such as torpedo boats, and Japan remained a signatory despite having no access to the Straits and being at war with Great Britain. At the same time, however, Eden felt it necessary in the interests of Anglo-Turkish relations to keep Ankara informed of Allied discussions concerning the Straits. But his assurances that no proposals of a definite kind had been put forward and that the Soviets had first raised the matter with the British, since Moscow realized it was necessary for the Allies to move together on this as well as all other matters,[31] failed to assuage the Turkish government and Ankara continued to wax uneasy at the news of inter-Allied discussions concerning a revision of Montreux.

Despite United States hopes that the Straits issue would not be discussed at Yalta, the question appeared on the agenda for the summit conference.[32] On February 10 Stalin alluded once again to a revision of the Montreux Convention on the grounds that some of its provisions, such as Japan's being a signatory and the convention's being bound to the League machinery, were outmoded. Stalin concluded his presentation by reiterating that "it was impossible to accept a situation in which Turkey had a hand on Russia's throat."[33] Churchill acknowledged his October expression of sympathy for the Soviet request, recalling that he had advised the Soviet government to send a note to the British on the subject, but none had yet been received. Churchill also recommended at Yalta that any proposals for changes in the Straits regime designed to meet Russian needs and wishes be accompanied by appropriate guarantees to Tur-

[29] Ibid.
[30] *F.O. Doc.* R16013/44/44, Vol. 44165.
[31] *F.O. Doc.* R20942/44/44, Vol. 48699.
[32] Váli, *The Turkish Straits and NATO*, pp. 61–62.
[33] Ibid., p. 231.

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key regarding the maintenance of its independence and integrity. Stalin replied that he had "nothing to hide" and readily agreed to provide Turkey with the necessary assurances. The Big Three finally decided to place the subject of revision on the agenda of the upcoming foreign ministers' meeting.[34]

But on March 19 Moscow seized the initiative and launched its "war of nerves" against Turkey by announcing the Soviet Union's intention not to renew the Turco-Soviet Treaty of Neutrality and Non-Aggression, since this treaty was "no longer in accord with the new situation" and needed "serious improvement."[35] In June the Soviets confronted the Turkish ambassador in Moscow with demands for bases in the Straits, for a Soviet-Turkish revision of the convention, and for the return of Kars and Ardahan to the Soviet Union.[36] The Turkish government, however, rejected these demands and received diplomatic support from the British, who considered Turkey's rejection justified.[37]

When the meeting of the foreign ministers failed to achieve progress on the question of revision, the matter was placed on the agenda for discussion at Potsdam.[38] During that conference the Soviets, believing Turkey was too weak to ensure the right of free passage effectively, pursued their demand for bases in the Straits, despite American and British unwillingness to grant this concession. Stalin amplified the Soviet position by pointing to the "impossible situation" created by Montreux, in which Turkey alone could determine whether or not a threat of war existed and thereby close the Straits to all shipping—both commercial and military. Truman, however, introduced another element into the discussions when he proposed the internationalization and demilitarization of Europe's inland waterways, including the Straits. The president's proposal, coupled with British and American opposition to any bilateral solution of the Straits question by the Soviet Union and Turkey, left the issue undecided. Hoping that it might still be possible to find a solution, the heads of state agreed to pursue the question through "direct conversations between each of the Three Powers and the Turkish Government."[39]

One of the major difficulties surrounding the debate over the Straits in 1945–1946 centered upon an interpretation of what the "direct conversations" agreed upon at Potsdam should entail. According to the British and American version, these conversations were to be simply the "next step" in the progress toward

[34] *F.O. Doc.* R20942/44/44, Vol. 48699.

[35] George E. Kirk, "Turkey, Persia, and the U.S.S.R.," section i "Turkey: From 'War of Nerves' to 'Truman Doctrine,' 1945–47," *Survey of International Affairs: The Middle East 1945–1950*, Vol. V (London, 1951), p. 21.

[36] For a detailed account of the June 7 discussions between Molotov and the Turkish ambassador, Selim Sarper, see Howard, *Turkey, the Straits and U.S. Policy*, pp. 218–220; and Erkin, *Les Relations Turco-Soviétiques*, p. 295.

[37] Kirk, "Turkey, Persia, and the U.S.S.R.," p. 21; and *F.O. Doc.* R19723/44/44, Vol. 48699.

[38] Váli, *The Turkish Straits and NATO*, p. 63.

[39] Ibid., pp. 233–241; *F.O. Doc.* R19723/44/44, Vol. 48699; and Kirk, "Turkey, Persia, and the U.S.S.R.," pp. 22–23.

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revision. The Soviets, however, interpreted this agreement to mean that each of the great powers would pursue "direct conversations" with Turkey for a revision of the convention.[40] In Moscow's eyes these discussions were not to be preparatory or simply an exchange of views; rather, they were to proceed directly toward a revision of Montreux.

Meanwhile, the news of United States interest in the Straits came at a crucial moment for Turkey, and it is easy to appreciate to what extent the Turkish government regarded Truman's proposals as an important counterweight to Soviet demands. But internationalization posed a number of delicate questions which explains why Ankara, although it indicated a willingness to entertain the president's suggestion, did so on condition that the new regime would not affect Turkish sovereignty and would lead to an improvement in Turco-Soviet relations.[41]

Following the summit conference, Washington continued to pursue the direct route of conversations with the Turkish government as opposed to renewed discussions among the Big Three.[42] On November 2 the United States government sent a note to the Turkish government outlining the State Department's updated views on the Straits question.[43] Due to the delicate problems involved in reconciling the regime of the Turkish Straits with the blanket provision for the "free and unrestricted navigation of international inland waterways," the State Department modified Truman's Potsdam position. Opening with a reference to how the Big Three had agreed to revision at Potsdam, the note suggested holding an international conference for the purpose of revising the convention and indicated that the United States would be pleased to attend such a conference, if invited. The note also set forth the following proposals upon which discussion could take place and an agreement reached:

(i) The Straits to be open to merchant vessels at all times;

(ii) The Straits to be open to the transit of warships of Black Sea Powers at all times;

(iii) Save for an agreed limited tonnage in time of peace, passage through the Straits to be denied to warships of non-Black Sea Powers at all times except

[40] Harry N. Howard, *The Problem of the Turkish Straits* (Washington, D.C., 1974), pp. 36–47. See also *F.O. Doc.* R17452/44/44, Vol. 48698.

[41] *F.O. Doc.* R1409/44/44, Vol. 48698; and *F.O. Doc.* R20942/44/44, Vol. 48699.

[42] *F.O. Doc.* R1629/44/44, Vol. 48698.

[43] An important consideration in the timing of the United States note was the difficulty created by a press leak, charging American and British collaboration in organizing a common front against the Soviets. Secretary of State James F. Byrnes denied publicly that he had any knowledge of what the British views were in this matter. This was simply not true, as London and Washington had been engaged in "joint consultations" to keep each other informed of their proposals for revision. *F.O. Doc.* R18568/44/44, Vol. 48699. An enlightening minute to this document reads as follows: "If the question comes up in Parliament—we shall either have to show up Mr. Byrnes' lie or tell one ourselves." For a discussion of the absence of any "collusion" between the United States and Britain in this matter see Howard, *Turkey, the Straits and U.S. Policy*, p. 295.

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with specific consent of the Black Sea Powers or except when acting under the authority of the United Nations; and

(iv) Certain changes to modernize the Montreux Convention, such as the substitution of the United Nations system for that of the League of Nations and the elimination of Japan as a signatory.[44]

Although Turkish authorities conceded that the November guidelines were an improvement over the ideas of demilitarization and internationalization, they pointed out the difficulties the new proposals would create. For example, there was no indication of how Black Sea powers should decide whether or not warships of non-Black Sea powers could enter the Black Sea. Moreover, the Turkish government might find the whole of the Soviet navy, and possibly satellite navies as well, in the territorial waters of Constantinople at one and the same time. Finally, the effect of the American proposals would be to turn the Black Sea into a Russian naval base from which the Soviet navy could make "tip and run" expeditions into the Mediterranean without danger of pursuit. So as not to appear intransigent and forfeit American goodwill, Ankara accepted these proposals as a basis for discussion and agreed to participate in a conference, provided the new regulations did not infringe upon Turkey's "independence, sovereignty, and territorial integrity."[45]

Britain was also willing to attend a conference as proposed by the United States. But since the issue had for some time remained "quiescent," and since there was no evidence that the Soviets were about to take "violent action" against Turkey, the British did not regard the matter as a "particularly urgent question."[46] Unless greater agreement existed on the general question of the Straits among the Big Three, the Foreign Office believed it better not to make any move, but to wait and observe the reactions of both Moscow and Ankara to the American proposals.[47] London also wanted more time to evaluate Washington's proposals in detail, as there were certain stipulations the British found particularly unacceptable, such as the idea of having to receive formal approval for passage from defeated enemy states—in this case Bulgaria and Rumania.[48]

[44] Quoted in Howard, *Problem of the Turkish Straits*, p. 37; and Váli, *The Turkish Straits and NATO*, p. 67.

[45] *F.O. Doc.* R18782/44/44, Vol. 48699. For a discussion of Turkey's mixed reaction to the United States note of November 2 see Erkin, *Les Relations Turco-Soviétiques*, pp. 316–317. Erkin describes the satisfaction in Ankara with Washington's decision to move away from the "ambiguous formula of internationalization." At the same time, however, Turkish authorities detected a "troubling aspect" in the United States proposals, particularly points ii and iii, which implied acceptance of the Soviet thesis that the Black Sea was a *mare clausum*, while providing Black Sea states with what amounted to a veto power over the rights of entry into the Black Sea. In light of these considerations Turkish authorities set out to persuade United States officials that points ii and iii constituted a serious threat to the security of Istanbul and the Straits.

[46] *F.O. Doc.* R18092/44/44, Vol. 48698.

[47] *F.O. Doc.* R19095/44/44, Vol. 48699; and *F.O. Doc.* R19865/44/44, Vol. 48699.

[48] *F.O. Doc.* R18092/44/44, Vol. 48698.

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In the meantime Turkish authorities were successful in playing upon Western fears that Moscow was trying "to force Turkey out of the British orbit and into the Soviet orbit."[49] Soviet dissatisfaction with the United States note, inasmuch as the note did not meet Russia's essential demands for guarantees, did not help to dispel these fears. Moscow insisted that any new convention governing the use of the Straits could be guaranteed only if the Straits were held jointly by Russia and Turkey. The Soviets, in order to substantiate their claim, continued to refer to Turkey's having failed to block certain Axis violations of the rules of passage during the war. In fact, Turkey's wartime record as guardian of the Straits became one of the main Russian debating points. The Soviets also decided to withhold any comment on the recent American proposals, indicating that they were still waiting for Turkey's reply to their June proposals.[50]

Soviet-American Debate

As the Soviet "war of nerves" against Ankara intensified, Britain and the United States emerged as the defenders of Turkish integrity and independence. In February the British foreign secretary, Ernest Bevin, underlined the need for continued international control of the Straits in an important speech before the House of Commons. Although he did not dismiss the hope for a possible renewal of the Treaty of Friendship between Turkey and the Soviet Union, he conditioned his remarks by pointing out Britain's desire not to see Turkey "converted into a satellite state."[51]

Washington was also growing increasingly apprehensive about possible Soviet designs on Turkey and the effect these designs might have on the entire Middle Eastern situation. The decisions to send the United States battleship *Missouri* on a courtesy visit to Istanbul was a sign to the Soviets of Washington's displeasure over the continued application of pressure upon Turkey and of American readiness to support Turkey in the face of Soviet threats.[52] In the opinion of the American ambassador in Ankara, Edwin C. Wilson, the question of the Straits was a secondary matter to the Soviets, "merely a façade" behind which lay Moscow's real objective—'actual domination of Turkey."[53]

[49] *F.O. Doc.* R2009/44/44, Vol. 48699.

[50] *F.O. Foc.* R19789/44/44, Vol. 48699; and *F.O. Doc.* R19723/44/44, Vol. 48699. Apparently the Soviets, when they first submitted their proposals, did not consider Turkey's reply either satisfactory or sufficient.

[51] Kirk, "Turkey, Persia, and the U.S.S.R.," p. 27; and Howard, *Problem of the Turkish Straits*, p. 37–38.

[52] Váli, *The Turkish Straits and NATO*, p. 70.

[53] *State Department Document*, 711.0/3–2346, *Foreign Relations of the United States: Diplomatic Papers 1946*, Vol. VIII (Washington, D.C., 1969), p. 821. Wilson's views tended to support the analysis of the United States ambassador to the Soviet Union, W. Averell Harriman, who claimed that since Turkey had dragged its feet on entering the war against Germany in the summer of 1944, the Soviets no longer considered themselves bound to any of the Allied agreements concerning the Straits and preferred instead to profit from Turkey's hesitancy by

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Experts in the State Department believed the Soviets wanted a treaty engagement that would eliminate the last "beach-head of the Western world in this region."[54] According to a report submitted by Ambassador Wilson, Moscow's desire to eliminate Western influence in Turkey accounted for the Soviet Union's rejection of the American proposals, although these proposals granted Black Sea powers a privileged position at the Straits. Soviet insistence upon bases and a form of joint control and defense in the Straits zone was simply another means of achieving a preponderant voice in Turkish affairs. Wilson further surmised that Moscow could not tolerate an independent Turkey, as it represented "the sole gap" in the "vast security belt" composed of "vassal states" extending from the Baltic to the Black Sea. Consequently, the Americans feared that if they granted Moscow bases in the Straits, this would be "tantamount to the disappearance of Turkey as an independent state" and would place Turkey in the same position vis-à-vis the Soviet Union as Bulgaria, Rumania, Poland, etc.[55]

On August 7, 1946, the Soviets submitted a detailed note to the Turkish government expressing Moscow's views on the future status of the Straits. London and Washington also received copies of the note. Since Russia's diplomatic initiative coincided with large-scale troop movements in Transcaucasia and Bulgaria as well as naval exercises in the Black Sea,[56] it was obviously part of a coordinated effort to escalate the "war of nerves" and test Turkey's will to resist Soviet demands in the face of increased military and diplomatic pressure.

The note itself called attention to the series of alleged Axis violations of the Straits Convention during the war.[57] On the basis of these incidents the Soviets argued that Montreux had apparently failed to prevent use of the Straits by enemy powers and that the convention should be revised according to the agreement reached at Potsdam. The Soviet note also included five points intended to serve as guidelines for revision of the Convention. Points i, ii, and iii corresponded to the first three points of the United States note of the previous November. Points iv and v, however, proposed that

> The establishment of a regime of the Straits, as sole passage, leading from the Black Sea and to the Black Sea, should come under the competence of Turkey and other Black Sea Powers.
>
> Turkey and the Soviet Union, as the powers most interested and capable of

maintaining complete liberty of action to deal with any problems concerning its neighbor to the south through "tête-à-tête" negotiations. Erkin, *Les Relations Turco-Soviétiques*, pp. 282–284.

[54] *State Department Document*, 501.BC/12–1945, *Foreign Relations of the United States*, Vol. VIII, p. 804.

[55] *State Department Document*, 711.00/3–2346, *Foreign Relations of the United States*, Vol. VIII, pp. 821–822.

[56] Kirk, "Turkey, Persia, and the U.S.S.R.," p. 33.

[57] Soviet historians writing in the postwar period have not failed to emphasize how "Turkish reactionary circles systematically violated the Convention in the service of the Fascist aggressors." See I. F. Ivanshin, *Ocherki istorii vneshnei politicki SSSR* (Moscow, 1964), p. 256.

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guaranteeing freedom of commercial navigation and security in the Straits, shall organize joint means of defense of the Straits for the prevention of the utilization of the Straits by other countries for aims hostile to the Black Sea Powers.[58]

Of particular significance was the Soviet Union's insistence upon a share for all countries of the Black Sea in maintaining the guarantee of security and its demand for a joint Turkish-Soviet system of defense.

According to Feridun Cemal Erkin, a high-ranking official in the Foreign Ministry who was intimately involved in framing the Turkish response to the Soviet note and who later served as Turkish foreign minister, Ankara based its objections to points iv and v on the desire to preserve its independence of judgment as regards decisions concerning passage through the Straits. What the government wanted to avoid was becoming part of a regional arrangement that would condemn Turkey to "belligerent solidarity" with the Soviet Union. For example, Turkey might become an unwilling accomplice in an act of aggression if it allowed the Soviet Union to exit from the Black Sea, attack an enemy fleet in the Mediterranean, and then retire to the safety of the Black Sea, while at the same time requiring Turkey to withold from the victim of aggression the privilege to pursue the Soviet fleet beyond the Straits. If, however, Turkey granted the victim of such an attack access to the Black Sea, it would then run the risk of finding itself at war with the Soviet Union. Erkin's reasoning on this point reflects his consistent opposition to the notion of any regional arrangement on the Soviet model which would jeopardize Turkish independence and security.[59]

Points iv and v of the note quickly emerged as the substantive issues barring agreement on a scheme for revision. The United States considered the Soviet suggestions to be at complete variance with American ideas concerning the desirability of revising the Montreux Convention under the aegis of the United Nations. Moreover, the Soviet note admitted only the interests of Black Sea states to the exclusion of British, French, Greek, and Yugoslav interests. In addition to regretting the omission of any reference to the United Nations, the United States opposed the notion of "joint means of defense" (i.e., bilateral agreements), preferring instead to have the guarantee mechanism incorporated into the machinery of the United Nations.[60]

Based on these considerations and the tensions resulting from the Big Three's failure to reach agreement on a general European settlement, Washington sought to have Anakara postpone, at least temporarily, the convocation of a con-

[58] Quoted in Howard, *Problems of the Turkish Straits*, p. 39. For mention of the similarities in the Soviet note and the views put forth by Molotov in his negotiations with the Germans in November 1940 see Howard, *Turkey, the Straits and U.S. Policy*, p. 244.

[59] Erkin, *Les Relations Turco-Soviétiques*, pp. 392–395, 401, and 418–425. Throughout his study on the subject of Turco-Soviet relations during this period Erkin emphasizes that any regulation governing the use of the Straits must of necessity balance the requirements of Turkish security and independence against the needs and desires of other Black Sea states.

[60] *State Department Document*, 767.68119/8–746, *Foreign Relations of the United States*, Vol. VIII, pp. 831–832.

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ference so as to avoid a "showdown" with Moscow over the Straits. State Department officials did admit privately that Turkey's wartime record as custodian of the Straits had not been perfect, but they also sought to rehabilitate Turkey's record by arguing that once the "smoke of war had cleared," there was a great deal to be said on behalf of Ankara's behavior. Moreover, the number of ships that did pass through the Straits was "inconsequential," and many of them were "borderline cases" according to definitions in the Montreux Convention.[61]

Washington also shared Ankara's interpretation of "joint means of defense" as jeopardizing Turkish independence and integrity. At a crucial series of meetings on August 15 and 16 President Truman approved recommendations from the secretaries of war and of the navy, as well as from the State Department, in favor of taking a firm stand against Soviet advances in Turkey. Dean Acheson, then undersecretary of state, summarized the decisions in a memorandum for Secretary Byrnes who was in Paris conducting negotiations on the postwar European settlement. In Acheson's account of the meeting, Truman agreed that the introduction of Soviet arms into Turkey would result in Greece and the whole Middle East, including the eastern Mediterranean, falling under Soviet control. Moreover, the United States doubted that Turkey would pursue its policy of resistance in the face of Soviet advances without an assurance of support from Washington. For these reasons the undersecretary argued for the necessity of making it clear to the USSR, Turkey, and all other powers that, "in case the U.N. is unsuccessful in stopping Soviet aggression, the U.S. would not hesitate to join other nations in meeting armed aggression by force of American arms."[62]

In effect this decision represented a policy victory for State Department officials who believed that the maintenance of Turkish independence had become "a vital interest to the U.S." and that the loss of Turkey's independence would mean "the elimination of the last barrier to a Soviet advance to the Persian Gulf and Suez." Furthermore, in terms of Soviet ambitions "the temptation would be more than human nature could withstand."[63] Commenting on the meeting between Truman and his advisors, Acheson observed how the president approved the hard-line policy as outlined in the memorandum and stated that he was prepared to pursue it "to the end."[64] There is no need to emphasize the significance of this decision in terms of not only the Straits question, but also of the overall

[61] Ibid.

[62] *State Department Document*, 767.68119/8–1246, *Foreign Relations of the United States*, Vol. VIII, p. 842.

[63] See Ambassador Wilson's analysis of the situation, ibid., p. 837.

[64] For a complete account of Acheson's report on what transpired at this meeting see *State Department Document*, 767.68119/8–1246; and *State Department Document*, 740.00119/8–1546, *Foreign Relations of the United States*, Vol. VIII, pp. 840–843. For a discussion of the Truman administration's decision to support Turkey in the fall of 1946 while at the same time seeking to avoid any direct confrontation with the Soviet Union see Jonathan Knight, "Ameri-

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postwar policy of the United States toward Turkey and the eastern Mediterranean.

On August 19 Washington, in its official reply to the Soviet note, restricted itself to challenging the Russian contention that the establishment of a regime for the Straits was the exclusive concern of Black Sea states. While declaring that Turkey should remain primarily responsible for the defense of the Straits, the United States note expressed a desire to have the new Straits regime correspond to the principles of the United Nations and reiterated Washington's willingness to attend a conference for the purpose of revising the Montreux Convention. On the 21 the British also sent the Soviets a reply expressing views similar to those of the United States.[65]

Turkey then assumed the initiative on the 22, challenging the Soviet assessment of Turkey's role as an unfit guardian of the Straits during the war. Ankara defended its wartime record by maintaining that the ships in question either displayed none of the characteristics as outlined in Annex II of the convention, or that once the Turkish government had been informed of the transformation of merchant vessels into naval auxiliaries, officials had refused to grant passage. The Turkish government did admit that Annex II of the convention required revision, and it indicated that it was prepared to participate in a conference of the signatory powers and the United States for this purpose. Ankara rejected the Soviet notion regarding the establishment of a Straits regime as the exclusive concern of Turkey and other Black Sea states and based its refusal to accept Moscow's proposal for a "joint Turco-Soviet system of defense for the Straits" on the grounds that such an arrangement was "not compatible with the inalienable rights" of Turkish sovereignty, nor with its security, "which brooks no restriction." Moreover, in an obvious attempt to curry Washington's favor, the note observed that the United Nations guaranteed the security of each country and that this guarantee was the responsibility of the world body and not the exclusive preserve of the Black Sea powers.[66]

On September 24 the Soviets worked toward establishing a case for the legitimacy of their claims for a joint system of defense by referring to the passage through the Straits of the *Goeben* and the *Breslau* in August 1914, and the incidents involving Axis shipping during World War II. The note insisted upon the essential differences between the landlocked character of the Black Sea, whose

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can Statecraft and the 1946 Black Sea Straits Controversy," *Political Science Quarterly*, 90, no. 3 (Fall 1975), 451–475. Knight's article deals primarily with the Truman administration's adoption of a "firm" and resolute policy toward the Soviet Union in the Straits controversy.

[65] See Howard, *Problem of the Turkish Straits*, pp. 39–43. His discussion contains all the essential points in the debate, and I have relied upon it extensively for the content and substance of official diplomatic exchanges.

[66] Ibid., pp. 40–41. For an assessment of the significance of the joint consultations undertaken by Turkey, the United States, and Great Britain in preparing their respective responses to the Soviet note and for a discussion of the Soviet interpretation of these consultations see Erkin, *Les Relations Turco-Soviétiques*, pp. 348–354.

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entrance was the primary concern of the powers on its shores, and international waterways such as the Straits of Gibraltar and the Suez Canal, which necessitated an "international control with the participation of the Powers most concerned,' although this had not yet been realized.[67] Furthermore, the Soviets recalled how Turkey had accepted the elaboration of a regime for the Straits by Turkey and the Black Sea states in the Treaties of Moscow (March 16, 1921), Kars (October 13, 1921), and the Turco-Ukrainian Agreement (January 2, 1922). Finally, the Soviets reiterated their interpretation of how the Potsdam Agreement referred to revision through direct conversations. Both the United States and Great Britain, however, reaffirmed their interpretation of the provisions of the protocol of the Potsdam Agreement as referring only to preliminary discussions.[68]

On October 18 the Turkish government again defended its conduct in the face of Soviet accusations. Ankara disclaimed any responsibility for the danger to Soviet security created in the Black Sea during the war. Instead, Turkey attributed the danger to German occupation of Rumania and Bulgaria and to the passage of Axis vessels down the Danube. The note also indicated the Turkish government's refusal to accept the Soviet notion of a "closed sea" and the arguments founded on the 1921–1922 treaties. Moreover, Turkish officials referred to the preferential treatment accorded to Black Sea states in the Montreux Convention and how the principles of revision, outlined in the American proposals, offered the possibility "of giving greater satisfaction to Soviet desiderata." As to point v, Ankara could not accept the proposals put forward by the Soviets for joint defense of the Straits, since this "would mean no less than the sharing of her sovereignty with a foreign power." Finally, in an effort to forestall further Soviet initiatives, the Turkish government expressed its belief that the preliminary discussions contemplated by the Potsdam Conference had achieved their objective and that the time had come to summon a conference attended by all signatories with the exception of Japan and the addition of the United States for the purpose of revising the Montreux Convention. The Soviets, however, never replied to the Turkish note; and the envisioned conference never took place.[69]

Conclusion

In retrospect the 1946–1947 debate over the Straits reflects some basic developments in postwar European history, and raises some important political questions that cannot as yet be answered. The most significant development was the breakdown of the wartime alliance and the ascendancy of the United States in the leadership of the Western community. Of particular significance was the

[67] Kirk, "Turkey, Persia, and the U.S.S.R," p. 33.
[68] Howard, *Problem of the Turkish Straits*, pp. 41–42.
[69] Ibid., pp. 42–43.

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manner in which Washington and London rallied to the support of Ankara despite the latter's less than glorious wartime record. The explanation lay in the West's perception of the Soviet demands for a share in the control of the Straits as a "juridical façade to mask what was essentially an essay in power politics." Disappointed at the failure to maintain the wartime *modus vivendi*, the United States and Great Britain feared Russian demands on the Straits would not only enhance the security of the Soviet Union, but would also menace communications by sea and air through the eastern Mediterranean and the whole of the Middle East.[70] With the eclipse of British power and influence, the United States was willing to step into the breach, while Turkey, as so often had been the case for two centuries, was able to exploit its strategic geopolitical situation and receive the support of a great power unwilling to accept the risks involved in an elimination of Turkey's "independence."

The objectives of the Soviet Union are less easy to pinpoint. There is no doubt that Moscow always sought to improve its position at the Straits; the postwar debate was obviously no exception. But why did the Soviets insist so determinedly on bases in the Straits, when they easily could have secured concrete advantages through acceptance of Washington's proposals? Ferenc Váli has suggested that in view "of his phenomenal success in pushing Soviet domination far into the heart of Central Europe and over all the Balkans (except Greece), Stalin desired to excel the Tsars in regard to Constantinople as well."[71]

True, the Soviets would not exactly have minded filling one of the gaps in the "security belt" they had erected on their western frontier. But persistent Soviet contentions that they were seeking concrete guarantees for security in the Straits merit more consideration than some observers might be willing to grant,[72]

[70] Kirk, "The War and the Neutrals," pp. 365–366. For an excellent and compelling discussion of the traditional United States view concerning Soviet ambitions at the Straits and the Truman administration's response to what the State Department viewed as Moscow's territorial ambitions in the Middle East see Howard, *Turkey, the Straits and U. S. Policy*, pp. 210–261. Although my views differ in some respects from Howard's, the differences are not substantive; rather they are ones of emphasis. And the present article is not intended to refute Howard's thesis so much as it is intended to add another dimension to our perception of the debate concerning postwar revision of the Montreux Convention.

[71] Váli, *The Turkish Straits and NATO*, pp. 68–69. In effect Váli echoes the views of Erkin who asserts that the USSR "found itself haunted by the same dream and the same passion which for centuries had intoxicated the imagination of the Tsars since Peter the Great." Erkin goes so far as to assert that the Soviets had in fact revived the suggestion of Prince Trubetzkoi in 1915 that "the least burdensome solution of the Straits Question was military and naval control of the region under the nominal sovereignty of Turkey." Erkin, *Les Relations Turco-Soviétiques*, pp. 295 and 309.

[72] For a discussion of the recurrent theme of security in Soviet foreign policy and how it serves as a convenient pretext for the erection of an edifice of security based on the establishment of successive, peripheral zones designed to safeguard Soviet territories against attack see Erkin, *Les Relations Turco-Soviétiques*, pp. 414–416. In attempting to explain Soviet security objectives at the end of World War II, Louis J. Halle has alluded to Stalin's desire to establish the most defensible frontiers possible and to promote beyond these frontiers a series

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especially since the primary concern of the Soviets dating back to the Lausanne Conference of 1923 and the Montreux Conference of 1936 had been to protect what might be described as the Soviet Union's "soft underbelly from attack."[73] It is difficult to see why the Soviets would not pursue a similar objective in the period after World War II, and why the desire to protect their Black Sea bases from attack would have diminished in intensity.

The Soviet refusal to accept an inviation to attend a conference, however, is not as easy to explain. Given the presence of all the signatories with the exception of Japan and the addition of the United States, the Soviet delegation would obviously have been confronted with a formidable alignment of powers opposed to Moscow's thesis on the Straits. But this does not answer the question of why the Soviets did not accept Washington's proposals and satisfy themselves, at least temporarily, with having gained some concrete strategic advantages. It would be too facile to argue that the Soviets looked upon the future status of the Straits simply as an issue to test the will of the Western powers, particularly the United States; although there is a great deal of truth in the orthodox interpretation that once Moscow was confronted with Washington's determination to challenge Soviet ambitions first in Iran, and then later in the eastern Mediterranean through the pronouncement of the Truman Doctrine, the Soviets withdrew from an overtly expansionist policy.[74]

Had the Soviets agreed to attend a conference, they would undoubtedly have been forced to relinquish their demands for a share in the control of the Straits. Moreover, once they had affixed their signature to the new convention, it would have been more difficult to raise objections to the existing regime and to strive to secure greater strategic and political advantages. In the fall of 1946 Moscow withdrew from pressing its case; and according to a distinguished United States authority on the Straits, Harry N. Howard, the withdrawal constituted "a diplomatic setback, if not outright defeat" for the USSR.[75] Still, one can safely assume that in the minds of Moscow's decision makers the retreat was merely tactical

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of friendly governments based perhaps on the Finnish model. "In operational terms a 'friendly' government would presumably mean, as a minimum, a government committed to enter into no alliances with potential enemies of Russia and to resist, within its jurisdiction, any military moves by them that menaced Russia. Moreover, it would have to refrain from thwarting Russian foreign policy in any way. What might be called ideological friendliness was not directly involved. Stalin was a power-politician before he was an ideologist." Louis J. Halle, *The Cold War as History* (New York, 1971), pp. 49 and 67–68. Erkin, of course, rejects the notion that the Finnish model might be applicable in Turkey's case on the grounds that neutrality would preclude Turkey from maintaining its alliance with the West. Erkin, *Les Relations Turco-Soviétiques*, pp. 421–422.

[73] See my Ph.D. dissertation, "The Montreux Conference of 1936: A Diplomatic Study of Anglo-Soviet Rivalry at the Turkish Straits," Stanford University, 1974, pp. 13–18 and 226–230.

[74] Adam B. Ulam, *The Rivals: America and Russia Since World War II* (New York, 1971), pp. 118–123.

[75] Howard, *Turkey, the Straits and U.S. Policy*, p. 258.

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and temporary, at least until more favorable conditions prevailed in which the Soviets could put forward their claims.[76]

This, basically is Váli's explanation for the Soviet withdrawal. But he, and to a much lesser extent Howard, tend to underrate the degree of Soviet concern for securing its territory from attack. Váli, in particular, implies that the Soviets were exclusively interested in gaining control over the Straits as an exercise in power politics, as does Erkin who dismisses as "naive" the notion "that Soviet objectives proceeded from a purely defensive point of view."[77] Without doubt control over the Straits was one of their main objectives as was the Soviet desire to preempt American influence and the possibility of an American presence in Turkey at a time when the postwar spheres of influence in the Middle East had not as yet been clearly established. But again, when trying to reconstruct Soviet desiderata at the Straits, one cannot overlook Moscow's desire to enhance its security at the entrance of the Black Sea.

This appraisal of Soviet motives explains why it has been necessary to discuss in detail Turkey's role as guardian of the Straits during World War II. True, Turkey did not countenance any flagrant and major violations of the Montreux Convention during the war. Nonetheless, the evidence indicates that circumstances could result in placing pressure upon Turkey to interpret the rules of passage to the benefit of one set of belligerents at the expense of another set of belligerents. The existence of a considerable latitude of interpretation must have in some degree accounted for Soviet fears as to how the convention might be applied in the future, should the pressure exerted upon Turkey be even greater than that exerted by the Axis. The question of whether or not these fears were legitimate is fundamentally irrelevant; and the same can be said for American fears of Soviet ambitions at the Straits in 1946. What is relevant is the fact that Soviet policy makers, like their counterparts in Washington, perceived these fears to be real; and Moscow concluded that the best assurance against a possible attack in the Black Sea was to revise the Straits regime in such a fashion as to give the Soviet Union greater control in determining which ships could enter into and exit from the Black Sea and when they could do so.

Turkey's participation in the Western alliance dwarfs the subsequent history of the Straits question.[78] Once Turkey joined NATO, there could be no doubt as to which side Ankara supported in the cold war. But Turkey's admission in 1952 to the Atlantic Alliance system simply formalized what had already been taking place, since it had been quite clear as early as 1946 in which direction Ankara was leaning. As for the Montreux Convention itself, it did undergo a certain unilateral revision, when Japan renounced through the Treaty of

[76] Váli, *The Turkish Straits and NATO*, p. 75.

[77] Erkin, *Les Relations Turco-Soviétiques*, pp. 401–403.

[78] For a discussion of the post-World War II diplomatic status of the Straits and the application of the rules of passage in accordance with the Montreux Convention see Váli, *The Turkish Straits and NATO*, pp. 99–135, and Howard, *Turkey, the Straits and U.S. Policy*, pp. 261–281.

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Peace signed in 1951 the rights and interests it derived as a signatory to the convention. As to Soviet demands, an exchange of notes between Moscow and Ankara in 1953 appeared to indicate that the Soviets had publicly withdrawn from their 1946 position. Moscow, however, has continued to express concern over the visits of American and British naval units to Istanbul as well as the annual entry of two United States destroyers into the Black Sea in accordance with the rights of passage guaranteed under the Montreux Convention. And there can be no doubt that the Soviets, despite their overwhelming naval superiority in the Black Sea, continue to look with apprehension upon Turkish possession of "the keys to their house."*

* The author wishes to express his appreciation to Professors Wayne S. Vucinich, Harry N. Howard, Charles E. Burdick, and Teddy J. Uldricks for their interest in the topic and their willingness to share their views and opinions on the subject, as well as to the Committee on Research of the Academic Senate at the University of California, Riverside and to the *Deutscher Akademischer Austuaschdienst* whose support and generosity made it possible to complete this project.

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Book Reviews

The Natural Superiority of Southern Politicians *by David Leon Chandler. Garden City, N. Y., Doubleday and Company, 1977.—xxii, 394 pp. $10.00.*

Southern tolerance of individual eccentricity has been a saving grace during the region's prolonged struggle with poverty, class, and caste. Once relegated by the external world to the role of scapegoat for the nation's sins, the South has to its astonishment and to the consternation of many non-southerners suddenly burst upon the center of national political life. The rest of the country may now feel obliged to develop a tolerance for the eccentricity of political and intellectual types frequently found below the Mason-Dixon line.

The author of *The Natural Superiority of Southern Politicians* demonstrates an affinity for this sectional breed in a book that is audacious in the sweep of its generalizations, unswerving (and ingenious) in its devotion to a central theme, adept in the logic through which apparently irreconcilable matters are reconciled, replete with illustrative detail, and occasionally cavalier in its disdain for factual accuracy and subtlety of interpretation. The sheer rhetorical power of the writing and the obvious commitment of the author to his unique vision may, like similar qualities in old-fashioned southern oratory, lend more depth and plausibility to the book's thesis than close examination will sustain.

The dust jacket and title page proclaim that this is "A Revisionist History," and the introduction, entitled "History Is a Chronicle of Winners" asserts that ". . . the South has produced the pre-eminent geniuses of all American political history . . ." even though ". . . the role of Southerners in designing the American political system has gone unrecognized in histories and textbooks . . ." (p. 1). From this aggressive beginning Chandler argues that every major innovation in the pattern of self-government in America, save one, was generated by southerners: the Declaration of Independence, the Constitution, a divided and balanced structure of governmental power, the two-party system, the committee structure in Congress, judicial review, features of the Senate that make that body unique, and the programmatic adaptations of

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the New Freedom, the New Deal, the Fair Deal and the Great Society. The sole exception to southern initiation of new departures was the doctrine of secession, which Calhoun picked up while studying law in Connecticut, the doctrine having originated in the Hartford Convention.

The foregoing list should not lead the reader to conclude that this book is simply another exercise in southern defensiveness or reaction. Chandler is neither a racist nor a reactionary. Running through the entire book are poignant reminders of the tragedy of the South's and the nation's failures due to the unwillingness or inability to bring the black population into the mainstream of American life, illustrated by such widely varying experiences as that of John Randolph (a hero in the cause of liberty and an adamant opponent of equality), black politicians in their southerness (ranging from Senator Hiram Revels of Mississippi, who succeeded Jefferson Davis in the Senate, to Barbara Jordan, who understands and utilizes the southern protégé system so well in the House), and Sam Ervin (whose greatness as a constitutional defender of civil liberties is flawed by his voting record on civil rights). The author's sense of irony is clearly expressed in the paradox that "the South, so able in national politics, seems never to have been so capable at handling its domestic affairs." (p. 166) And he concludes the book with a brief epilogue expressing the hope that Jimmy Carter's election may mean the fulfillment of the promise in the Populist heritage, in which both races have hitherto participated without full reconciliation.

Those naturally resistant to the theme and mode of analysis of this book will be reinforced by such egregious errors as the reference to William Lloyd Garrison as black, and even by the designation of John Calhoun as the "American Marx," which borrows from Hofstadter's characterization, "The Marx of the Master Class," without capturing either its felicity of phrase or subtlety of reference. But it is a mistake to be put off entirely by these and other faults. The book contains some excellent discussions of political lore, especially about the U.S. Senate, and it offers some inspired perceptions of the character and intellect of southern politicians who have affected the course of American political history in ways that we have been reluctant to acknowledge. Read skeptically, it is both enjoyable and profitable.

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The Diploma Disease: Education, Qualification and Development *by Ronald Dore. Berkeley, University of California Press, 1977. — xiii, 214 pp. Cloth, $15.00; paper, $5.50.*

The title of Ronald Dore's latest book, *The Diploma Disease*, might lead one to expect a simple polemic, but Dore's book is, in fact, something much more subtle and complicated than that. To be sure, Dore has a target that he attacks strongly and lucidly: he abhors the growing tendency all over the world to attend school only for the purpose of obtaining the necessary qualifications for desirable jobs. *This* is the

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"diploma disease," and its symptoms are easily identified. Dore himself describes "*mere* qualification-earning" as "ritualistic, tedious, suffused with anxiety and boredom, destructive of curiosity and imagination; in short, anti-educational" (p. ix). All of us who have been exposed to the process of "teaching to the exam" know how deadly such education can be; a simple polemic against examination-oriented education might well find us nodding agreement, but it would not provoke much thought. Dore does much more than simply indict this perversion of education. He skillfully sets it in the context of modernization, and relates it to such basic normative alternatives as universalism vs. particularism and egalitarianism vs. efficiency.

Genuine education, as Dore sees it, consists in the mastery of knowledge "whether the mastery is an end in itself, or whether the knowledge is mastered for us." By contrast, he defines the process of qualification as one in which "the pupil is concerned not with mastery, but with being certified as having mastered" (p. 9). The conditions under which both teachers and students are willing to endure the misery of education-for-the-sake-of-mere-qualification are those in which there is both an oversupply of candidates for very scarce desirable jobs *and* a high value placed on selecting people for those jobs on the basis of universalistic criteria.

Dore uses four case studies of countries to show the emergence of the diploma disease: England, Japan, Sri Lanka and Kenya (the last of which he clearly knows the least well). In all of them, universalistic, examination-based processes of selection are progressively established, though there are instructive differences among these countries. In Japan, the Meiji Restoration so radically altered the identity of power-holders that the Japanese, unlike the English, never had the option of filling managerial positions with men whose education had bred in them "the power to command," instead of using only educational qualifications (p. 45). Comparing Sri Lanka and Britain, Dore notes that "the unwillingness of Ceylonese parents to see their child eliminated from the central competition, the ideal of equality of opportunity, the demand that doors should be kept open for a 'second chance,' the pressure to postpone to as late an age as possible the point of definitive selection and rejection . . . all these pressures were in fact stronger in Sri Lanka than in Britain. . . . Ceylon's more homogeneous 'middle class' population did not have the same long tradition of resigned subordination to an educationally distinct upper class" (pp. 63–64).

The countries that Dore is especially familiar with happily lend themselves to the identification of what he calls "late-development effects." Two major characteristics of societies that develop late are, in his view, the tendency of the government to play a leading role in the development process and "the cliff-like separation of the modern-sector from the traditional one," and he finds that "the almightiness of the certificate" varies directly with the extent to which these defining characteristics are present (pp. 74–75). The later development begins, according to Dore, the greater the degree of credentialism, because school enrollments grow faster, the modern sector/traditional sector dualism is sharper, schools increasingly become the only channel of social mobility, and the meritocratic ideal of equality of opportunity is more entrenched. Paradoxically, though schooling is increasingly valued, it becomes

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less and less and less effective in the development of human capital, precisely because it is oriented to examination performance rather than learning.

Having described and analyzed the diploma disease, Dore shifts to the consideration of remedies. He sketches attempts at reform in Cuba, Tanzania, and Sri Lanka, and concludes that in none of these countries have reforms made very much headway. The "distinctly gloomy conclusion" emerges that "no amount of change in the guiding ideology, no attempt to switch attention from the needs of the high achievers to the needs of low achievers, no search for 'relevance', no change in the overt curriculum, can have any effect on the 'hidden curriculum'—how schools really teach children about their society and shape their values and ambitions and learning patterns —at least as long as school achievement has such overwhelming importance for individual life chances' (p. 131). But Dore is prepared to offer "some modest proposals" of his own to remedy the situation: in brief, early recruitment into work and selection according to aptitude, not achievement, tests. In-career higher education would produce people who are "more likely to emerge genuinely educated and trained rather than merely formally qualified" (p. 145); aptitude tests not only permit much less exam-oriented teaching, but performance on such exams is also less affected by "the sorts of privileged educational opportunities that rich children have more than poor children and urban children in developing countries than rural children" (p. 157). Dore carefully argues the pros and cons of his modest proposals and concludes that, on balance, they are cost-effective and efficient. It is not easy to take issue with his conclusions.

The diploma disease, or credentialism, is abhorrent to Dore because it fundamentally debases education. Unlike some critics of credentialism, he is not simply concerned about costly wasted effort in obtaining unnecessary qualifications or unequal opportunity in the quest for degrees and diplomas. In addition, he deplores the extent to which examination-oriented schooling glorifies "acquisitive achievement" at the expense of "productive self-fulfillment." He recognizes the need in modern industrial societies to accommodate the partly conflicting values of efficiency and egalitarianism, and given the unequal distribution of talent in society, he is inclined to search for accommodations that permit the filling of responsible positions without the ritualistic destruction of productive self-fulfillment through competitive educational achievement.

This is far too compressed a presentation of the complex and subtle argument of this excellent book. Indeed, Dore's own presentation is too compressed and it is not always easy to follow his argument, but the effort to do so is exceedingly worthwhile.

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Politics in Public Service Advertising on Television *by David L. Paletz, Roberta E. Pearson, and Donald L. Willis. New York, Praeger Publishers, 1977.—xi, 123 pp. $15.00.*

This book fulfills two major functions. It is a descriptive account, detailing what public service advertisements are, how they are produced and aired, and what kinds of messages they contain. The book also is a lengthy polemic that tells us that public service advertisements are counterproductive to the author's notions of public service and good government.

Turning first to description: public service advertisements (PSAs) on television are defined as "spots of 10, 20, 30, or 60 seconds, sponsored by nonprofit agencies, and aired free of charge by broadcasters" (p. 2). They constitute roughly 10 percent of all commercials and deal primarily with matters of health and safety, protection of the environment, and community welfare. There is evidence that the spots are noticed by the viewing public and that they produce responses, such as written requests for information.

Nonprofit organizations vie for the opportunity to have their messages transmitted to the public as PSAs, exempt from ordinary charges for broadcast time. The chances of receiving free time are vastly enhanced if the organization receives the endorsement of the Advertising Council, a private organization, composed largely of executives from the media and advertising world and representatives of the public drawn from upper socio-economic strata. The book sets forth the criteria by which the council makes its choices among contending nonprofit groups. It describes how, subsequently, selected advertising agencies produce the PSAs charging the clients only for actual production costs. It depicts how stations select PSAs for broadcasting and indicates the types of placement they receive. All of this is interesting and important information which has not been readily available to social scientists.

To gather this information, the authors interviewed people in the media and advertising world who deal with PSAs and sent questionnaires to a sample of television stations, inquiring about their experiences with PSAs. In assessing the content of typical PSAs, including their types of appeals, the authors analyzed 94 PSAs broadcast on two stations during a one-week period. The impact of PSAs was further studied through a telephone poll of 100 respondents in two locations. The book presents data on attention to PSAs and recall of manifest content, but not on the inferences which respondents drew from the content and the impact which these inferences had on their political attitudes.

This omission is regrettable because the polemical portion of the book rests on the assumption that PSAs lead to a number of general inferences about the political system that influence the public's political attitudes and behavior. Specifically, the authors claim that PSAs inspire support of the system in average viewers and make them think that they, rather than the social-political system, are to blame for a variety of problems. PSAs imply that the solution to these problems depends on individual activities, and thus absolve the government and individual public officials of responsibility for action. Stress on individual responsibility, in the authors' view,

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makes individuals compliant and passive and perpetuates elite control of the American political system. Hence PSAs serve as propaganda which perpetuates "an arid political stability in the United States (p. 99)."

The authors attribute the pro-status-quo tone of PSA messages to the influence of the gatekeepers whose values are pro-business and pro-government. They would replace the current gatekeeping system with a new one that would disseminate propaganda more in tune with their own ideas. This propaganda, among other things, should foment divisiveness and conflict and should challenge the legitimacy of the existing allocation of goods and services to various strata in American society. It should reduce positive affect for government by showing the unholy alliance of government and business. It should also reduce the credibility of government by demonstrating its ineffectiveness in coping with social problems.

Regardless of the merits or deficiencies of these recommendations, the presentation is flawed in a major way. No evidence is presented to indicate that viewers currently infer messages about the political system for PSAs. In fact, research on the effects of political communication indicates that even manifest content of messages is frequently interpreted in a variety of ways. Hence it is essential to the authors' argument to present evidence that the public does, indeed, draw the types of inferences which are crucial to the authors' case. Failure to produce such evidence seriously weakens the persuasiveness of the polemics. However, the merits of the book as a substantial contribution to the political communication literature about an important, hitherto neglected, topic remain intact.

DORIS A. GRABER
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The Game of Disarmament: How the United States and Russia Run the Arms Race *by Alva Myrdal. New York, Pantheon Books, 1977.—xxvi, 397 pp. $15.00.*

Alva Myrdal writes with authority. She served as Sweden's Minister of Disarmament, distinguishing herself as a leader of the nonaligned nations in various disarmament activities connected with the United Nations, most notably the Geneva Disarmament Committee. *The Game of Disarmament* reflects that experience: it is written from a Swedish perspective; it treats the subject of disarmament comprehensively and knowledgably; and its approach to solutions is pragmatic and incisive.

Myrdal believes that only the nonaligned states have been able to develop a global outlook. The superpowers and their allies are alleged to have thwarted all serious attempts at disarmament agreements in order to increase their own military power, but at the price of reducing everyone's security. ". . . There has always been a secret and undeclared collusion between the superpowers" to subvert meaningful regulation of nuclear and conventional arms (pp. 293–4). The "game" the superpowers play is one of constant sparring in attempts to gain or maintain military advantage. They have not been seriously interested in disarmament. So each proposes what it knows

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the other cannot or will not accept, and both accept only those provisions, such as the partial test ban, that do not seriously impede their arms programs.

The book is written in two parts, the first accounting for the "forces behind the arms race" and the second presenting an "activated agenda for disarmament." The author is less successful in explaining the "irrational" quest for arms than she is in describing the consequences of the arms race and in examining and proposing disarmament techniques and opportunities. But the overall effect of her effort is provocative, stimulating and constructive.

According to Myrdal, significant progress toward disarmament cannot be achieved without two fundamental preconditions imposed on the superpowers: a pledge that they will not initiate the use of nuclear weapons in warfare (no-first use), and a pledge not to attack any nonnuclear country with nuclear weapons. If such pledges could be secured, the disarmament log-jam might be broken. Myrdal's agenda would include a sharp reduction in nuclear forces to postures of minimum deterrents; a comprehensive nuclear test ban to stop qualitative improvements and prevent proliferation; quantitative and qualitative disarmament of conventional forces; prohibitions against chemical weapons, cruel antipersonnel weapons, and indiscriminate attacks against civilians; demilitarization of the oceans; and elimination of foreign military bases. These proposals are discussed, with the exception of the last one, in considerable detail.

In an attempt to be even-handed, Myrdal is unnecessarily critical of the United States vis-à-vis the Soviet Union and, between the superpowers and the nonaligned, rather naively assumes a parallel threat from each. One might wonder, for example, if Swedish defense planners really regard the threat from the NATO alliance to be in any respect comparable to that of the Soviet Union. One might also gather from her comments on secrecy that both superpowers are equally guilty of failure to be forthcoming when clearly the difference between the two governments in this respect is very distinct.

Few persons who read this book will fail to be convinced of the vital necessity of regulating and reducing the level and quality of armaments among the nations of this globe. *The Game of Disarmament* only underscores and verifies what most know to be the case. But the puzzle remains: if the quest for arms is so "irrational," why does the quest go on with such intensity and such breadth? Myrdal's answers range from the superficial to the glib. But while she does not provide an adequate explanation for the arms race, she does speak with great moral force about the problems armaments have created and the cataclysmic dangers that lurk ahead.

Alva Myrdal favors a radical reduction in armaments and presents in *The Game of Disarmament* a carefully reasoned argument for achieving that goal. Most readers would agree that the world can ill afford to continue on its current path. Myrdal offers a constructive set of alternatives worthy of serious consideration.

DAVID W. TARR
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The Politics of Attraction: Four Middle Powers and the United States *by Annette Baker Fox. New York, Columbia University Press, 1977.—viii, 371 pp. $15.00.*

Annette Baker Fox examines the relations between the United States and four middle powers—Australia, Brazil, Canada and Mexico—in order to assess, as she puts it, (p. 2) ". . . who influences whom, and when, and about what." Focusing on the postwar period, she uses aggregate data, newspaper reports, government publications and an impressive array of secondary sources to appraise the relative influence of the superpower and the middle powers on foreign, defense, trade, investment, monetary and neighborhood (river development, fisheries) policies. This appraisal is organized around a set of eight questions including: Has the United States engaged in joint enterprises and reciprocal exchanges with the middle powers? and, How have cultural and geographical distance shaped foreign relations between the United States and the other nations? At issue is whether the United States, as the superpower leader of the Western bloc, can dictate policy to friendly but less powerful nations and whether in the name of defending the free world against communism, the United States has established a hegemony which has eroded the sovereignty of smaller states in its sphere of influence.

She concludes, most generally, that the four middle powers have not been American satellites. They have been particularly independent on global foreign policy issues. She cites their numerous departures from American policy. For example, they all traded with the People's Republic of China when such commerce was not approved by the United States and Mexico and Brazil resisted American attempts to use the Organization of American States as an instrument to block would-be communist expansion in Latin America. They have been more closely tied to the United States on defense policy; nevertheless, Mexico has steadfastly refused to become militarily linked to the United States; despite generous American military aid, Brazil has not provided the United States with significant, tangible military concessions; and though more closely integrated into the American defense network, Canada and Australia have been eager to assert their independence from their powerful ally. This independence has extended to economic relations as well; for instance, Canada, Australia and Mexico have been able to place restrictions on American private capital invested in their countries without provoking sanctions from the United States.

If the middle powers are not satellites, how can one best describe their relations with the United States? Fox suggests that (p. 297) ". . . a special form of interdependence . . ." which ". . . reflects a strong pull in both directions . . ." is the most suitable description, and by documenting the real give and take between them, she makes a useful contribution. But she fails to stress that this interdependence is only possible because these middle powers share basic values with the United States and therefore have not taken actions to threaten its vital interests. One could argue that if these or other middle powers in the Western Bloc were to challenge American authority, the United States would treat them as satellites. Certainly interdependence is not an apt description for U.S. relations with Brazil in the early 1960s or, to cite a case not considered by Fox, with Chile in the early 1970s. In both instances there is

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ample evidence that the United States applied overt and covert pressure to replace a regime it opposed with one it found more congenial.

The persuasiveness of her general conclusion is further undermined because she refuses to investigate the charge that the United States is a hegemonic power. She mentions *dependencia* theories, but explicitly rejects the opportunity to evaluate them. She mentions the complaints lodged by some Canadians that American private investments have had an inordinate and adverse impact on their country, but does not assess the legitimacy or implications of these complaints. And she does not even mention the Central Intelligence Agency in her analysis of United States-Brazilian relations during the early 1960s. Given her unwillingness to judge the charges made by opponents of American foreign policy, her conclusion that the United States and the middle powers are interdependent is neither surprising nor terribly interesting.

Fox also presents more particular interpretations of various facets of relations between the countries. Unfortunately, these interpretations are often unconvincing and undocumented. She argues, for example, that the relatively close ties between the United States and Australia on defense policy can be explained by the nations' cultural proximity, which she defines as common Anglo-Saxon roots and roughly similar levels of economic development. Yet she presents no evidence to document the relevance of cultural proximity. A far more direct and plausible explanation, one which she develops in her narrative, is that both countries fear communist expansion in the Pacific; this fear of communism also explains the close defense ties the United States has maintained over the past generation with such less-developed and non-Anglo-Saxon regimes as the Republic of China and South Korea.

Finally, the major questions she chooses to guide her study confuse rather than clarify her analysis. Answers to some questions (the degree and nature of reciprocal exchanges) are intended to describe the relations between the United States and the other countries; the answers to others (the impact of geographical distance) are designed to explain variations in these relations. But she does not spell out this distinction with the unfortunate result that descriptions and explanations are scattered haphazardly and confusingly through nearly every chapter. Her reliance on these questions further obfuscates her narrative by compelling her to consider such complex and important issues as the Canadian response to American private investment under the rubric of numerous questions. This makes it exceedingly difficult for the reader to follow these intricate subjects. In sum, it is a shame that the author's organization and interpretation of the mass of collected data do not do justice to a truly prodigious research effort.

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The Committee of One Million: "China Lobby" Politics, 1953–1971 *by Stanley D. Bachrack. New York, Columbia University Press, 1976.—xi, 371 pp. $14.95.*

The China Lobby was the most powerful political pressure group in America during the cold war. Yet its operations have been difficult to pinpoint in the swirl of confusion and emotion that surrounded American China policy in the 1950s and '60s. In *The Committee of One Million*, Stanley D. Bachrack analyzes the structure, leadership, and activities of a single organization, on the premise that this committee was the linchpin of two decades' lobbying to keep the People's Republic of China out of the United Nations and otherwise to prevent any moderation of American intransigence toward the Peking regime. Bachrack concludes that the committee co-opted Congress, constrained the China policies of three administrations, collaborated with diplomats of the rival Taipei regime, and helped to delay the publication of an earlier study by Ross Koen detailing China Lobby activities.

The book is strongest in its treatment of the committee's internal functioning and political muscle. Republican Representative Walter Judd, a passionate opponent of Chinese communism, served as one of the group's leaders, and also as liaison with Congress, while Secretary Marvin Liebman raised funds and undertook publicity campaigns to promote the committee's views and discredit its opponents. Mustering one million signatures for its first petition to President Eisenhower for a hard line against Communist China in 1953, the committee repeatedly secured majorities of both houses of Congress to sign its declarations as late as 1966. But the committee's efforts to maintain a broad bipartisan image, notably by preserving an association with liberal Democratic Senator Paul Douglas, were in tension with Judd's partisan instincts and with Liebman's proclivity for right-wing causes. The erosion of the anti-China consensus during the mid-1960s, and the narrowing conservative base of the committee's support thereafter, led to desperate tactics by Liebman, and to massive desertions by Democrats and liberal Republicans. Finally, the committee's newsletter, *China Report*, cited President Nixon's "'soft' diplomacy toward Communist China" in 1971—the year the People's Republic was admitted to the United Nations (p. 268). Bachrack develops these themes with skill and irony.

Yet the book is seriously flawed. An enormous amount of needless detail mars the text and creates confusion. For example: "This language, stronger than the Senate's, had been recommended by Dr. Judd's subcommittee, a fact made clear by a report, also submitted by Judd, accompanying the resolution and placed in the *Record* before the vote—by Judd" (p. 73). Page after page of lists—committee officers, congressional members, financial disbursements—could have been relegated to footnotes or eliminated; the reader would benefit instead by a concise interpretation of the data's significance. Furthermore, Bachrack's assessments of the committee's influence on the executive branch frequently lack force. At the end of chapter six, Bachrack cites without comment Liebman's evaluation of the committee leaders' role during the 1950s: "Eisenhower and Dulles, he presumed, welcomed their activities" (p. 151). Here the reader is left hanging. Concerning the recognition of Outer Mon-

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golia, from which the Kennedy administration retreated following the Committee's outcry in 1961, there is only the barest account. These problems stem from the book's major drawback: a framework of analysis too closely centered on the committee and its leadership, combined with an overreliance on the Liebman papers as source material. Occasional citations from presidential papers generally reveal more about committee efforts than about the committee as a factor in executive decision-making. Bachrack neglects other important sources, such as the papers of John Foster Dulles and Adlai Stevenson, which would help to illuminate the government response to the pressures that the China Lobby exerted, and to clarify the committee's broader significance.

Bachrack has provided a specific account of a key organization and its influence on congressional attitudes toward foreign policy. But the broader problem of America's political and intellectual struggle to come to terms with the Chinese revolution remains to be fully explored.

KENNETH S. CHERN
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Managing the State *by Martha Wagner Weinberg. Cambridge, Mass., The MIT Press, 1977.—x, 244 pp. $5.95.*

In this study of Francis Sargent's governorship of Massachusetts (1969–1974), Martha Weinberg rediscovers a lesson learned by students of public administration several decades ago—that administration is indeed a political process. The governor as manager, she finds, has limited resources. He rarely defines issues, but rather responds to crisis. It is more important for him to appear in control of state agencies than to exercise actual control. He avoids both those policy areas in which there is little to gain politically, and those in which things are going his way, in hopes of gaining credit for leaving well enough alone.

A typology, based upon the governor's attempts to control agency policy compared with his ability to actually win the response he desires, is developed by Weinberg as the framework for chapter length studies of four state agencies: the Department of Public Works, the Department of Public Welfare, the Massachusetts Housing Finance Agency, and the Department of Mental Health. Each agency exhibits a different combination of gubernatorial effort and actual policy achievement. The author concludes that the governor's effectiveness depends not only on the resources he chooses to commit, but also on such agency characteristics as clarity of goals and outside support. It may be noted that factors not considered by Weinberg but studied elsewhere, such as agency size and age, may also be critical when a chief executive seeks to redirect policy.

Her research prompts Weinberg to question the capacity of established models of rational or incremental decision making to explain a governor's responsiveness to crisis. Implicit in her work is an emphasis upon personal rather than institutional

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factors in policy implementation. One lesson that emerges, for example, from the author's treatment of the transportation, welfare, and mental health departments is that for major redirection of policy, structural reorganization is not enough. The selection of effective agency leaders committed to the new policy is crucial.

Managing the State is not without problems. One is Weinberg's use of the word *crisis* without adequate definition. In her view, a crisis seems to be any situation, beyond the governor's control, to which he feels he must respond to avoid significant political costs. But why do some situations become crises that command the governor's attention, while others, seemingly similar, are ignored? Further, how does the governor's crisis orientation affect the strategic behavior of those who seek access to him? Clearly, Weinberg's use of *crisis* subsumes greatly disparate kinds of events. Separate analyses of each would have improved the book.

A second problem is that narrowly focused studies like this one offer only limited bases for generalization. For example, Governor Sargent's lack of interest in legislative politics and his spectacular indifference to the budgetary process as a management tool may make him atypical among the nation's governors. In addition, Sargent's emphasis upon crisis management and his rejection of long range management strategies may reflect, at least in part, his personal style rather than imperatives inherent in the office of governor.

In setting out to write this book, Martha Weinberg sought to explain "why there was such a great discrepancy between what we had come to expect from governors and what they actually could do." (p. ix). In an age when executive power is being seriously questioned, her work is a useful reminder of the very real constraints political executives face as they attempt to implement public policy.

GERALD BENJAMIN
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The Political Socialization of Black Americans: A Critical Evaluation of Research on Efficacy and Trust *by Paul R. Abramson. New York, The Free Press, 1977.—xi, 194 pp. $12.95.*

One prominent if unfortunate feature of research in the field of political socialization during the past twenty years has been its disparate character. For the most part, convenience has determined the research sites, age groups, and method; individual interest has defined the focus and scope of study; and the prevailing political climate has bounded the selection of "current" issues and acceptable questions for school children to answer. In addition, a vaguely defined custom seems to have mandated full or partial replication of scales and indices developed in earlier, landmark studies. As the author of this volume correctly notes in his conclusion, these patterns of research have resulted in a considerable body of literature which is largely atheoretical, and lacks critical examination of political environments, the conditions under which attitudes mature or change, or the learning process itself. Some ordering of this field, he suggests, is appropriate.

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Abramson's book addresses the task energetically. It is a comprehensive inventory and evaluation of work in a particular subfield of socialization (racial differences), as it is framed by significant and well-researched attitudes (political efficacy and political trust). Efficacy and trust are selected for their inherent theoretical importance to questions of orientations critical to democracy and support for the political system. Though behavior is not treated directly in this review of the field, the author argues that efficacy and trust hold certain behavioral implications which would make the concentration on the two attitudinal dispositions fundamental to subsequent study of political actions themselves. The explicit goal of the work is "... to evaluate four basic explanations for the low feelings of political effectiveness and political trust found among black schoolchildren" (p. 2). To that end, thirty-eight studies are referenced for their support or rejection of theories of political education, intelligence, social deprivation, and political reality.

Whatever the particular focus of the separate studies, the overall conclusions (and hence the justification for integrating their explanatory findings) are quite consistent. Most show significant differences in both efficacy and trust between the races, and those differences cannot be attributed to variation of social background alone. Interestingly, the review of such a broad range of studies reveals a striking pattern of time-based change: from the early 1950s (the time of the school desegregation decision) to the mid-1960s, trust among blacks rises rapidly; after 1967 (the beginning of a series of government failures in civil rights, Vietnam, Watergate) the overall decline in trust is markedly faster among blacks. Efficacy experiences some less spectacular variations, but racial differences are consistent. Can any of the four most current explanations of racial differences account for both of these patterns?

To address this question, Abramson presents a systematic evaluation of the assumptions of each explanation, support for the assumptions and logical empircal consequences which flow from them, discussions of the explanation, and tests which have been applied. If Abramson could be criticized at all, it might be for erring on the side of overcomprehensiveness in his careful evaluation of all possible angles of each explanation and the relevant evidence. The evaluation is extremely persuasive and flawless in its examination of the strengths and weaknesses of extant research on the topic, allowing us to come away with a confidence as to how the four models fare in explaining racial variation. Intelligence as an explanation is rejected most easily, since the assumption that intelligence *should* be related to either efficacy or trust is doubtful, and the evidence fails to present any clear pattern that is supported by reason. Political education as an explanation (schools teach politics differentially) suffers from its dependence on the assumption that schools do teach political values and students do absorb them. Moreover, though there might be some evidence to support lower norms of participation espoused in black schools, similar documentation for teaching political cynicism is lacking. Social deprivation can provide a logical explanation for both efficacy and trust generally, as long as one is willing to accept weak correlations between political orientations and a necessary personal trait, that of self-confidence. More specifically, however, social deprivation cannot account for the turnaround in political trust that occurred among blacks after 1967. On the basis

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of the research, therefore, Abramson concludes (along with the evaluations of Sears, Rodgers, Long, and Morris) that a theory of learned political realities can best explain all the documented patterns of racial differences on these two orientations. It leads to empirically supported consequences, it can explain both trust and efficacy differences and, most impressively, it accounts for the pre- and post-1967 patterns which are logically based in the realities of politics at that time. The difficulty in this model, as Abramson is quick to point out, is that it does not find much support in tracing the *process* by which political realities are learned, and by which they are translated into feelings of efficacy and trust. In fact, the prevailing ideas about transmission of values from either parents or schools leave this process very much unexplained, except through an avenue which several of the political reality advocates explore at least tentatively. That is, the concept of political subcultures—a rather vague yet persuasive acceptance of the fact that races are different in the way they perceive politics, and that the learning process operates through a combination of family, peers, schools, and an exposure to the real world that all children get but surely could not outline on the standard survey questionnaire.

Abramson's work is a hefty contribution to a badly needed (but rarely addressed) enterprise—the integration of research and theory building. It is to be hoped that this book will be a model for others to follow in bringing together the strains of research, subjecting studies to careful scrutiny, and taking stock of the theoretical consequences which should be used in future systematic research.

MARILYN HOSKIN
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Leadership and Change: The New Politics and the American Electorate *by Warren E. Miller and Teresa E. Levitin. Cambridge, Mass., Winthrop Publishers, 1976.—xvii, 267 pp. Cloth, $10.00; paper, $6.95.*

Has anything been left unsaid about recent changes in the American electorate? Yes, according to Warren Miller and Teresa Levitin. "The New Politics, born of the social and political unrest of the 1960s, left an imprint on American national politics that has gone unrecognized by many politicians and political analysts" (p. 1). They go on to argue that the New Politics is "the most potentially powerful source of political change in the mid-1970s" (p. 2), and that "if New Politics themes and issues or their logical successors are recognized and made relevant in the 1970s and 1980s, major changes may take place in the contours of American electroral politics" (p. 2).

Miller and Levitin marshall sixty-six tables in 236 pages of text (not including four appendixes) to support their argument. They begin by identifying four New Politics "themes": the counterculture, political protest, social control, and law and order (how does law and order differ from social control?). They then use twelve questionnaire items to develop a New Politics continuum. Respondents are classified as liberal or conservative on each New Politics theme according to their attitudes

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toward a variety of groups and activities: radical students, marijuana smokers, and people who attend rock festivals (counterculture); protest marches, civil disobedience, and disruption (political protest); urban riots, campus riots, and crime (law and order); and the police, military, and whites (social control). People who are liberal on all four New Politics dimensions become "New Liberals," while those who are conservative on each dimension are assigned to the "Silent Minority." Respondents with mixed attitudes fall somewhere between the New Liberals and the Silent Minority.

Unfortunately, the authors' distinction between liberals and conservatives has no inherent meaning. The reason is that the cutting points between liberal and conservative attitudes are established to yield roughly equal proportions of liberals and conservatives on each dimension. That is, the distribution of attitudes on each dimension is divided into two halves—one is called liberal and the other is called conservative. This method produces some interesting results. Because the distribution of counterculture and social control attitudes is so skewed, people can hold negative attitudes toward the counterculture, positive attitudes toward agents of social control, and still be New Liberals. As the authors acknowledge in Appendix I, "it is clear that different procedures (that is, changing the cutting points for dichotomizing the population) could have altered such conclusions as those pertaining to the absolute size of the New Liberal and Silent Minority groups" (p. 237). They did not begin by specifying ideal types, they write, because "the specification of ideal types usually involves some well developed theoretical perspective and explicit, restrictive definitional criteria" (p. 236).

Miller and Levitin report an increase in New Libealism from 1970 to 1972 (New Liberals increased from 14 to 25 percent of the sample) and a corresponding decline in the Silent Minority. There was no net change from 1972 to 1974. The demography of New Liberalism is about what one would expect: New Liberals are concentrated among the young, the middle class, the urban, and the well-educated; and blacks. Because each successive age cohort that entered the electorate between 1970 and 1974 was more liberal than its predecessors, Miller and Levitin suggest that the process of generational replacement will work in favor of the New Liberals. Yet if the generational component of the New Politics is so strong, why was there no increase in New Liberals from 1972 to 1974? The logical explanation is that the New Politics is a life-stage rather than a generational phenomenon.

New Liberals are mostly Independent, and those who are party identifiers are overwhelmingly Democratic. Their favorite candidate is Ted Kennedy, they are sympathetic to the plight of blacks, the poor, and women, they advocate broadened participation, and they are critical of big business. They are as supportive of (or as disenchanted with) the political system as others are, but they infrequently vote (apparently because of their youth).

The book's concluding chapter is entitled "The Future of American Politics." Here I expected Miller and Levitin to match wits with Burnham, Sundquist, or others who have ventured to forecast the future. Instead, we are told that the future depends on the ability of political leaders to shore-up the party system, restore trust in gov-

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ernment, and establish a new partisan alignment—about the same themes that Samuel Huntington discusses in *The Crisis of Democracy*. Miller and Levitin do not forecast a New Politics realignment, but neither do they rule it out. "The next few years will provide new opportunities for leaders to move the partisan balance of power in ways that reflect the impact of the 1960s and the era of the New Politics. Particular attention should be paid to the social and political concerns and the ideological commitments of the younger cohorts in the electorate. Their potential contribution to the realignment of the nation's political parties presents a major challenge to the nation's political leaders" (p. 232).

Which New Politics issues could spark a realignment? Herein lies the major shortcoming of *Leadership and Change* as a piece of political analysis. To the extent that the New Politics was about real issues, those issues are dead. What is left in 1977 are themes, not issues. Without issues, the New Libralism is best regarded as a counter-cultural Progressive Movement—a movement (to use the term loosely) of the privileged that seeks to reform procedures and life-styles, but not the allocation of material rewards. Perhaps it is revealing that three of the New Politics themes identified by Miller and Levitin—political protest, social control, and law and order—are procedural, and that the fourth, counterculture, is stylistic. In 1977 the war is over, the draft has ended, protest has disappeared, and the National Guard stands idle; energy resources are scarce, northern cities are impoverished, and unemployment is growing. Inevitably, people will begin to ask how the burdens of scarcity ought to be distributed. They will not be able to look to the New Politics for an answer.

GERALD B. FINCH
Columbia University

Organizing The Presidency *by Stephen Hess. Washington, D. C., The Brookings Institution, 1976.—viii, 228 pp. Cloth, $10.95; paper $3.95.*

Presidential Power and Politics *by William F. Mullen. New York, St. Martin's Press, 1976.—vi, 294 pp. Cloth, $12.95; paper, $4.95.*

In view of Watergate and Vietnam, can the presidency be restored to a tolerable compatability with a democratic political structure? Can it be checked so as to minimize the possibility that in future it might again mount assaults on civil liberties, aid and abet the commission of crimes, and embark on policies that lead to gross and costly error? Both these books provide cogent analysis and suggest possible reforms that might reduce the malfunctionings of the office and make it more democracy-abiding.

Stephen Hess, a major scholar of American politics and a former member of the White House staff, addresses himself to the organization, staffing, and management of the presidency. He analyzes the way each president approached these tasks, from Franklin Roosevelt to Richard Nixon. He explores a realm of paradoxes. As the presidency has developed its own bureaucracy, the president has become increasingly isolated. The more the office has become institutionalized, the more it has become personalized, and committed to promoting the glory and comfort of the incumbent.

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Various forces have contributed to the growth of the Presidential staff, both the White House staff and the always expanding miscellany of agencies that comprise the Executive Office of the President. Presidents, from Roosevelt to Nixon, have regarded the departmental and agency bureaucracy—the permanent government—with suspicion, and have looked for help to the White House staff. Consequently, the post-World War II era has witnessed a steady rise in the influence of White House staff members as presidential advisers, and a correlative decline in the influence of department secretaries. Policy formulation is increasingly separated from its implementation, with the result that a kind of credibility gap has set in: the White House staff can promote grandiose plans and promises, without much feel or responsibility for what can be achieved. While once the White House staff mediated interests, it now provides haven for pleaders for special interests, such as the aged, youth, physical fitness, volunteerism, drug abuse, energy, among many others.

Mr. Hess contends that presidents, beginning with Roosevelt, have misperceived themselves as chief managers of the executive branch. That responsibility is far from being clearly assigned by the Constititution, and time and again, Mr. Hess argues, this misperception has lured presidents and their associates into costly errors and the poor performance of tasks that could have been handled better elsewhere. For example, Nixon and his White House aides fell into a morass of wrongdoing in matters over which the jurisdiction of several or more departmental bureaucracies was clear.

Although Mr. Hess concludes that there is no immutable design for organizing the Presidency, he believes that the most salubrious pattern for the future would be a presidency coupled with a more powerful and effective cabinet. The history of the cabinet as a continuously potent force is not encouraging, but recent presidencies have recruited powerful department heads: Kennedy at Justice, McNamara at Defense, Schultze at Labor, Connally at Treasury, and others. A cabinet of such individuals would diminish the possibility of presidential self-isolation, which leads to the president's worst troubles. In an arresting analysis, Mr. Hess weighs the functions of the cabinet officer, his optimum background and experience, and considers the structure and processes of a better functioning cabinet. Unfortunately, history argues against the elevation of the cabinet and offers instead the standard scenario: an incoming president proclaims his high resolve to use his cabinet, and then after a time moves farther and farther from it.

Professor William Mullen's comprehensive study of the modern presidency as an institution gone wrong, shows where and how trouble set in. He leads the reader through the presidency's performance in the Indochina war, including the secret war in Cambodia. Although critical of the presidency, Mullen is fair minded in underscoring the culpability of Congress, particularly for its steady support of the war through appropriations. He is also hard headed in his assessment of "reforms" such as the War Powers Act, and demonstrates the practical difficulties of invoking the act in wartime.

Professor Mullen provides interesting analysis of the "rally around the President" phenomenon, with its elements of childhood socialization. For example, a substantial

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hard core of public opinion—25 to 30 percent—persisted in approbation of Nixon's stewardship despite Watergate exposures. Even when Nixon was in full decline, Congress voted him sweeping powers to deal with the energy crisis. Nixon's misuses of power, including impoundment, executive privilege, and his open-ended interpretations of his "inherent power," and the blanket justification he claimed in the name of national security are detailed here.

Professor Mullen assesses the now standard proposals for reforming the presidency, including the addition of legislators to the cabinet, the adoption of the British question hour, and the creation of a more autonomous status for the Justice Department. He amply explores the difficulties embedded in each proposal.

The reader of these books is left with the feeling that serious trouble can be avoided if due care is taken in choosing the president in the first place.

LOUIS W. KOENIG
New York University

Campaign Money: Reform and Reality in the States *edited by Herbert E. Alexander. New York, The Free Press, 1976.—xiv, 337 pp. Cloth, $10.95; paper, $2.95.*

Financing Politics: Money, Elections and Political Reform *by Herbert E. Alexander. Washington, D.C., Congressional Quarterly Press, 1976.—299 pp. $4.50.*

Together these volumes survey state and national political financing in the United States. The first consists of journalists' essays about 1974 campaign money in ten states: Maryland, Florida, Texas, California, Massachusetts, Kansas, Georgia, Pennsylvania, Ohio and New York. The editor, Herbert E. Alexander, guided individual authors toward some common concerns; each essay describes, at a minimum, recent reform legislation, total expenditures in gubernatorial and U.S. Senate races, and major sources of political money. David Broder's concluding essay reiterates the main findings and incites speculation about their policy implications. The volume would have been strengthened, however, by a chapter that systematically analyzed and compared political financing in the several jurisdictions.

The second volume is part of a new Congressional Quarterly series on politics and public policy aimed at undergraduates and general readers. It draws heavily on Alexander's previously published studies of presidential campaign finance and on Common Cause's studies of money in congressional elections. Chapters are devoted to the amounts and effects of campaign spending, sources of political money for individuals and interests, and recent national and state reforms. Alexander proffers separate chapters on the 1972 election, whose private money abuses created a watershed in American politics; the 1974 congressional campaign, which was conducted under the new regime of full disclosure and financial limits; and the 1976 presidential race, conducted under the new public financing law. Publication in 1976 left this last chap-

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ter necessarily incomplete. A valuable appendix summarizes the complex provisions of federal legislation since 1971.

The recurring American schizophrenia about campaign spending is evident in these studies. David Broder observes that the amounts spent vary enormously from race to race and state to state, but he concludes that "where candidates complained about a lack of funds, they seemed to collect plenty." Herbert Alexander, on the other hand, warns that "money—lots of it—is essential to the smooth conduct ... of free elections" and that "few candidates or political committees have found satisfactory ways of meeting the necessary expenses in competing in a system of free elections."

Hugh Carey's $5 million campaign, Jerry Brown's $3.7 million outlay, Robert Dole's million dollar re-election bid, and Milton Shapp's three high-spending gubernatorial races are all described with an arched journalistic eyebrow. Yet these sums are quite small when spread across the mass electorates to whom such candidates must appeal. Other candidates spend so little that competitive elections become farcical. The Republican gubernatorial candidate in Texas raised only $700,000 to combat incumbent Democrat Dolph Briscoe's $2.4 million re-election bid. In Florida's U.S. Senate primary, Paula Hawkins, the first woman and first Republican elected to the Public Service Commission, could muster only $25,000; she was swamped by a millionaire opponent. And Hubert Humphrey was so plainly underfinanced in 1968 that his razor-thin loss to Richard Nixon might well be the authentic case of a presidential election decided by dollars.

Both books are on a better footing in their unease about the size and sources of campaign gifts. One after another of these studies details contributions from government employees, from government contractors, from regulated industries, and from others with large, direct financial stakes in government decisions. In 1972 some businessmen felt compelled to contribute to the Nixon campaign, fearing official retaliation if they did not.

Time and again, the size of contributions also contradicted American ideas that in politics, at least, citizens count equally. In 1972, more than 1,500 persons contributed or loaned at least $10,000 to national level committees, accounting for more than $63 million or more than 15 percent of all political money. And in the Ohio gubernatorial race, Republican James Rhodes received 67 percent of his funds in sums of $500 or more, while Democrat John Gilligan got 60 percent in such gifts.

Neither statutory contribution limits nor self-restraint by candidates is likely to assure that campaigns can be financed by small gifts. Both Florida Governor Reubin Askew and New York senatorial aspirant Ramsey Clark imposed $100 contribution limits on their campaigns, and they raised $600,000 and $850,000 respectively. On the other hand, vigorous small contribution drives by Pennsylvania Governor Milton Shapp and Georgia gubernatorial hopeful Bobby Rowan failed miserably. Barry Goldwater, George Wallace, George McGovern, and perhaps Eugene McCarthy raised substantial presidential campaign warchests in small sums. All were defeated at the polls. Every other modern presidential contender, including all the winners, relied primarily on large contributions.

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Disclosure is in addition only a small step toward reform. The enormous volume and detail of campaign reports, though necessary for full disclosure, prevent the unearthing of critical facts before election day. Moreover, David Broder notes the "unpredictability and the seeming arbitrariness of public reaction to financial candor." New York voters elected Hugh Carey, despite disclosure of massive family financing through loopholes in the campaign code, and Jacob Javits, whose support from big givers contrasted sharply with Ramsey Clark's $100 contribution limit. James Rhodes won the Ohio governorship despite John Gilligan's drumbeat of criticism that Rhodes had failed to follow Gilligan in fully disclosing his finances. On the other hand, Bert Lance's candid acknowledgement of his enormous personal wealth and campaign contributions virtually knocked him out of Georgia's Democratic gubernatorial primary.

None of the ten states discussed in *Campaign Money* had public financing schemes in place in 1974. But Herbert Alexander offers helpful preliminary comments on public financing of the 1976 presidential race. The expected proliferation of candidates did not occur. The feared exclusion of regional candidates did not happen, as Jimmy Carter proved. A few candidacies may have been prolonged by public grants; but seven Democratic contenders, including several early favorites, dropped out early in the nomination race. Although public funding was "adequate—but certainly not generous," exclusion of all private giving in presidential general elections may unnecessarily curb desirable participation by small givers. Doubts remain whether the qualifying mechanisms, particularly for minor party candidates, are not unduly restrictive. Finally, 1976 was less tainted by big money and special interest money than any presidential campaign in memory.

The message of these two volumes for the public and its lawmakers is plain enough. Free elections require ample money "as the cost of tuition for educating the American people on the issues confronting them." But the sources of money must not promote inequality or impropriety in public affairs. Current financing practices supply too little money, too unevenly distributed, and too fraught with dangers of abuse. Traditional regulatory schemes—contribution limits, expenditure ceilings, full disclosure—are either unconstitutional or insufficient. So, despite some defects in America's first experience with public financing, it is along that path that future experimentation must lie.

DAVID ADAMANY
California State University, Long Beach

Power, Inc.: Public and Private Rulers and How To Make Them Accountable *by Morton Mintz and Jerry Cohen. New York, The Viking Press, 1976.—xxvii, 659 pp. $15.00.*

Each year it seems as if journalistic muckracking has reached its high water mark, but the next year it is exceeded by another floodtide of media refuse. Morton Mintz, an "investigative reporter" for the *Washington Post*, and Jerry S. Cohen, a

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Washington lawyer and former Senate staffer, apparently believe their last volume about scandal, trickery and corruption in Washington (*America Inc.*, The Dial Press, 1971) failed to satisfy the appetite of the American public for stories of chicanery in high places. So they produced *Power Inc.*, 659 pages chuck-full of stories of bribery, conflict of interest, abuse of power, and the like, drawn primarily from stories by Morton Mintz previously published in the *Washington Post*.

There are virtually no segments of American society that are untarnished. The Constitution has failed, the Congress is weak and corrupt, the Presidency is imperious, the bureaucracy is "unaccountable, wasteful, unresponsive, arbitrary, and even tyrannical" (p. 34). We rehash again the secret wars and criminal activities of presidents, report stories of conflict of interest in Congress, and even question the integrity of the Federal Reserve. But the authors most scandalous charges are leveled against American business, particularly government contractors, banks, drug companies, Gulf Oil, Lockheed, Exxon, and Northrop. The "good guys"—the FTC, SEC, OSHSA, DA, Ralph Nader—are outmanned and outgunned. Physicians and the AMA should heal themselves of "abuse or trust" (p. 183); accountants "have long since sold out to the conglomerates and multinational corporations" (p. 195); and so it goes.

Each page treats us to an unending stream of bribery, scandal, and corruption. There is no thread of organization to the book. One suspects that the authors accumulated all of the newspaper clippings and congressional files concerning avarice in America and strung them together as a book. The theme is that "unaccountability pervades American life," and the impression given by this lengthy recitation of treacheries, deceits, and malfeasances is that in America dishonesty is the norm. All of this is couched, of course, in the now commonplace rhetoric of moral outrage.

After crawling through this seemingly endless sewer, which purports to describe American society today, one would expect a radical or revolutionary call to arms. But the authors offer only a constitutional amendment granting legal standing to any citizen to "challenge any act or conduct of a person which . . . threatens to cause . . . harm to safety or happiness." "Person" includes private individuals, corporations, or government agencies. In brief, we should turn over the governance of society to the federal courts. The possibility that federal courts themselves might be subverted is quickly brushed aside: "One of the authors has had considerable experience with federal courts . . . the experience has left him, on the whole, not disillusioned" (p. 585).

The authors never acknowledge, and seem to be unaware of, the antidemocratic, elitist nature of their proposal. After this litany of corruption in democracy, it is not unreasonable to despair of self-governance, and to seek some modern day version of the philosopher king. But the book lacks a rationale for making federal judges our philosopher kings. The shallow thinking of the authors reminds us again how easy it is in an imperfect society to decide that democracy is hopelessly corrupt and to urge its replacement by some form of benevolent despotism.

THOMAS R. DYE
Florida State University

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Financing State and Local Governments, 3rd edition *by James A. Maxwell and J. Richard Aronson. Washington, D.C., The Brookings Institution, 1977.—xvi, 290 pp. Cloth, $10.95; paper, $4.95.*

This is the last work of scholarship published by the late Professor Maxwell and the third edition of what has become a standard handbook on the subject. Professor Maxwell was responsible for the first six chapters which are primarily concerned with intergovernmental relations, and Professor Aronson for the remaining chapters, which deal with topics ranging from the property tax to state and local retirement systems, state and local debt and the future of the state-local fisc.

The volume is an excellent descriptive survey of a most complicated subject. The data presentation is particularly good, with time series on revenue and expenditure from 1902 to 1973 and a great many state-by-state cross sections for 1973, together with a statistical appendix. Grants-in-aid are counted two ways, first as expenditure by the grantor jurisdiction, and then as expenditure by the grantee jurisdiction. Although the volume is notable for its brevity, major aspects of complex subjects are usually captured without serious omissions. Chapter 10, for example, treats of earmarked revenues, retirement systems and capital budgets in 27 pages.

The authors are quite neutral on some policy issues, such as the growth of federal categorical grants, and moderately prescriptive on others, such as the need for state intervention in local property tax administration. They are not optimistic that overdue reforms will soon be adopted. For example, unreasonable tax obstacles to interstate commerce have long existed, as in the apportionment of the net income of interstate corporations among a number of taxing states. But the states will not adopt a common formula, the Supreme Court will not intervene and the Congress refuses to enforce uniformity. A mild state of anarchy will continue to prevail.

Although published this year, the manuscript was apparently prepared two or three years ago. Hence, there are a few references to New York City's fiscal crisis, but no analysis of the effects of the 1974 recession on state-local fiscal positions. Recent inflationary impacts on both revenue and expenditure are similarly neglected.

The reviewer of a survey volume is always tempted to prescribe the kind of treatise he would have written had he written such a treatise. This reviewer has yielded (somewhat unfairly) to this temptation.

The treatise that is yet to be written would explore in much greater depth the dramatic changes that have occurred in the structure of fiscal federalism since 1964, and would include a detailed taxonomy of the kinds of federal and state grants that have been employed, the new administrative patterns that have emerged, the implications of "grantsmanship" and the development of "private federalism"—grants to local non-governmental organizations, universities and consulting firms. Also included would be a detailed examination of the 1965–70 period of explosive growth in state-local expenditure, and the reasons therefore, with appropriate attention to regional dimensions, a chapter on the response patterns of grantee jurisdictions; and chapters on recent experience with general revenue sharing and with each of the special revenue sharing programs. These latter have resulted in major shifts in the distribution

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of power over local government resource allocation and the shifting power pattern differs for each program. There would be more in-depth attention to the current controversy over the incidence of the property tax.

In consequence, the treatise would be about twice the length of Maxwell-Aronson. But the authors should not be faulted for not writing the book that has not yet been written. What they have done has been well done.

JESSE BURKHEAD
Syracuse University

Police: Streetcorner Politicians *by William Ker Muir, Jr. Chicago, University of Chicago Press, 1977.—xi, 306 pp. $15.00.*

Cynics may not be surprised to find politicians in the local police station, but they may be surprised to find them in uniform. William Ker Muir, Jr. is not. As the title of his book suggests, he regards police as very much involved with politics in the sense that politics is authoritative coercion. Given this perspective, it seems fitting that in the United States "precinct" generally implies one of two things: police or politics.

Although his research focuses on the police, Muir's intent is to explore the larger implications of what he terms the extortionate transaction, the situation in which there is a victim and a victimizer. Intrigued by the usually precarious balance of the coercive relationship, Muir examines coercive paradoxes of "disposession," "detachment," "face," and "irrationality." In his analysis he argues that the police officer is not just a practitioner of coercion but also its victim. Pursuing Lord Acton's dictum that "power tends to corrupt," Muir adds an important insight: "power tends to confine, frustrate, frighten, and burden the consciences of its holders" (p. 45).

How police contend with their power and the power of others is one of Muir's central concerns. Building on Max Weber's model of a professional politician, he constructs a model which incorporates a police officer's attitude toward the use of coercion and his attitude toward the human condition. Is an officer able to integrate or reconcile coercion with his ethical system? Does an officer have a "tragic" view of the world, one that sees individuals as essentially alike and expresses empathy for them? Or does an officer possess a "cynical" view, one that regards human beings as falling into warring camps of friends and enemies, or dumb and smart, of weak and strong? For the cynic, contempt replaces empathy.

With these considerations in mind, Muir describes four types of officers starting with the "professional" who has a tragic perspective and an integrated view of the morality of coercion. Other types include "enforcers," "reciprocators," and "avoiders." Muir emphasizes the critical importance of facility with language and the leadership of sergeants and the police chief in promoting professionalism. Particularly fascinating is his discussion of the contradiction of the chief's "using tyrannical coercion to extort respect for the rule of law" (p. 250).

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Muir bases his book on a study of twenty-eight young officers in a city he calls Laconia, the true identity of which should not elude those familiar with patterns of policing or patterns of researching, despite the author's rearrangement of its geography and renaming of its organizations and inhabitants. Needless to say, "Jay Justice" turns out to be a "professional" policeman rather than an "enforcer!"

Muir concedes the obvious problems in constructing models of policing based on twenty-eight officers in one city in one time period, but, of course, to admit limitations is not to dispose of them. Sharing the "tragic" view of human nature he prefers for police professionals, he produces a sympathetic and perceptive analysis, but most readers are likely to agree with the author that this is an "exploratory" study. The concepts are provocative, but the categories may be too rigidly defined. Reducing conceptions of human nature to two neat boxes in a classification scheme obscures as much as it explains. Similarly, the stress placed on language is not matched by a rigorous explanation of its components when applied to policing.

Because the book extends its findings on twenty-eight police officers to a general discussion of coercive power, some may gasp at its global reach. Whatever the commonalities in exercising coercive power, there obviously are substantial differences. A police officer is not the same as the president of the United States. For one thing, the police are not elected. For another, those in higher positions often do not share the face-to-face relationships in exercising coercion that a police officer does.

To raise these problems is not to argue that Muir is unaware of them. His is an admittedly exploratory work and as such is important and rewarding. Although not for the casual reader, those who have a serious interest in politicians, whether in the precinct or in the Pentagon, will welcome this study.

JAMES P. GIFFORD
University of Santa Clara

Rent Control: Concepts, Realities, and Mechanisms *by Monica R. Lett. New Brunswick, N.J., Center for Urban Policy Research, 1977.—xiv, 294 pp. $15.00.*

Policymakers and administrators in states and cities contemplating rent control will find this an extremely important and useful book. It would also be valuable reading for persons able to rescind rent control legislation in the communities that are now burdened with it. Although the author does not explicitly draw many conclusions about the net effects of rent control, all of her data point to serious negative influence on the rental real estate markets and the tax bases of the communities studied. Rent control may be essential in emergencies—such as wars and the current boom in Alaska caused by pipeline construction—but it is not feasible as the semipermanent mechanism that it has become in New York City.

Monica Lett has prepared both a handbook for establishing or revising a rent control program and case studies of rent control operations in Greater Boston, Fort Lee, New Jersey, and New York City. The handbook is the more comprehensive and covers

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legislation in nine states and the District of Columbia. The case studies, though limited geographically to the northeast and excluding the Alaskan situation, provide detailed information on the economics of contemporary rent control mechanisms of different types. From an analytical or evaluative standpoint, the case studies are the more interesting parts of the book.

Lett provides succinct summaries of existing rent control statutes and programs, as well as legal rulings and historic precedents. In tables and text, she presents comparative information on reasons for instituting rent control, administrative procedures and costs, definitions of units to be controlled and those to be exempted, methods of determining rent adjustments, and hardship provisions.

Through the case studies, which largely report on analyses by Rutgers University's Center for Urban Policy Research, she compares the rent increases that have been allowed with actual operating costs in the three communities. In all cases, there appears to have been a decline in property owners' net operating income during the period under review, and attempts by owners to compensate themselves by reducing maintenance expenditures. Furthermore, "not only does the profit level decline, but the capitalization rate or gross rent multiplier . . . is also reduced. Properties purchased for six to eight times their annual rent roll are frequently sold for four to five times their rent roll under rent controls" (p. 151). In New York City, the decline in value has been far greater. Drops in real estate values lead, in turn, to lower assessed valuations and reduced municipal tax revenues—a result of rent control that, as Lett observes, "is the most crucial yet often the least understood issue" (p. 152).

There is no question but what investors' interest in rental housing is substantially reduced when controls are imposed on rents but not on other commodities. Ironically, as Lett points out, "the imposition of rent controls exacerbates rather than alleviates the housing shortage by further discouraging new investment. The imposition of rent controls *must*, therefore, be accompanied by devices and programs which encourage new investment" (p. 200). This is not usually done because rent control is seldom tied to other programs or to an overall housing policy. Rather, it is usually a politically motivated method of providing tenant subsidies in renter-dominated municipalities.

Except in true emergencies, which by definition will be of limited duration, rent controls reflect short-sighted policymaking. The long-term effects on the tax base and the housing market are likely to be negative. Though poor and fixed-income tenants will receive relief (probably accompanied by reduced housing services), the majority of the beneficiaries will not be poor. Direct rent or income subsidies are a far better way to channel funds to those who most need them.

M. Leanne Lachman
Real Estate Research Corporation, Chicago

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Housing and Economic Reality: New York City, *1976 by George Sternlieb and James Hughes. New Brunswick, N.J., The Center for Urban Policy Research, 1977.—255 pp. $12.00.*

In this book, Sternlieb and Hughes present a detailed description of the housing situation in New York City as of 1975. The findings presented are based on data from the Census Bureau's Housing and Vacancy Survey, conducted in 1975. It should be noted that New York City is obligated to conduct such surveys periodically in order to provide information for decisions to continue, modify, or terminate its rent control programs. The use of the 1975 data, and the relatively short publishing turnaround time from the Center for Urban Policy Research make this book, perhaps, the most current description of a particular urban housing market available in the United States.

The book is organized in a relatively straightforward manner. The opening chapter summarizes policy recommendations and findings, the second chapter presents an organizational and definitional framework, and the following three chapters describe housing supply, housing need and demand, and the relationship between income and rental expenditures. These three chapters form a relatively standard housing market analysis. The authors then go on to discuss specific aspects of the housing market in New York. Chapter 6 describes the condition of the housing stock. Chapters 7, 8, and 9 describe specific subsets of the resident population, that is, the elderly renter, minority households, and households on public assistance. Finally, Chapter 10 attempts to place the entire analysis in an employment context. The book proper is followed by a series of appendixes dealing with specific regulations and legislation, as well as with technical materials pertaining to the sampling and data collection operation.

It is clear from the book that the housing situation in New York City is not a happy one. The widely publicized population decline has been paralleled by a decline in the housing stock and an even more dramatic decline in the rent-paying capabilities of the city's resident population. These conclusions are neither new nor surprising. They are well documented, however, and that makes the book a valuable resource for those concerned with rental housing in New York City.

There are, however, some difficulties with the book. First, the study concentrates on rental housing only. There is no discussion of owner-occupied housing in New York City, except to note that it is a growing portion of the housing market. Secondly, the book is descriptive only. It does not present any theory of the way the housing market ought to behave which can be tested by the extensive set of data examined, nor does it attempt to draw conclusions from the examination of New York City's housing situation, which might be applicable, under certain circumstances, to other major cities. Failure to at least discuss the implications of the findings makes the book of limited value to the reader concerned with housing, but not necessarily concerned with New York City.

There are other apparent oddities in the material presented, particularly from the point of view of supply. It is stated in Chapter 3 that the housing supply being con-

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sidered was that of renter-occupied dwelling units. Vacant units available for rent were not included (page 39). This is the only mention of vacancy in the entire study. The authors do say, however, that the vacant units available for rent constitute a small share of the total rental supply, and that the number of such units fluctuates (page 39). One would expect that a condition of declining population and rent-paying ability would also include increasing vacancy rates, but the issue is left hanging. Since the vacancy rate is considered to be one of the key indicators of when rent control mechanisms should be eliminated, it is surprising that Sternlieb and Hughes do not give it more consideration.

The authors go into considerable detail in describing the rental housing supply as characterized by several rent control/rent regulation categories. They go into comparable detail in describing the income distribution of the resident population. Their discussion of the intersection of the population and the occupied housing stock makes it quite clear that the rent-control mechanisms are overserving many households while underserving a large number of others (page 120). Still, the fact remains that there are certain subsets of households in New York City which require special attention regarding housing. In particular, this is true for the City's very large elderly population, and for those households attempting to survive on public assistance. The authors make it quite clear that these groups must not be overlooked when future rent control policy is considered.

The reference to future policy is another major peculiarity in the Sternlieb and Hughes presentation. In several of the chapters the concluding portion alludes to policy implications of the findings in the chapter. In some cases, such as on page 130, it is stated that policy alternatives will be presented in more detail in a later section. This later section never appears. The only discussion of policy recommendations is a brief summary at the beginning of the first chapter. Even that is somewhat disconcerting because not all of the recommendations are supported by the findings in the book. For instance, item number 4 on page 2 states that policy should focus on the protection of the tenant in residence rather than the newcomer. This is not discussed at all in the text proper. There is a marked discontinuity between the description of the housing situation and the policy recommendations summarized at the outset of the presentaion.

In sum, the book reads more like a report to an agency of the New York City Government than a book prepared for general distribution. Indeed, comparison of this book with the report prepared by Sternlieb and Hughes for the New York City Housing and Development Administration in 1973 (cited in footnote 8, page 23), shows that they have essentially updated figures in the prior report to include the 1975 data. Despite its currency, the book seems much more suited to its original audience than to a broad readership.

MICHAEL J. MUNSON
Princeton University

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The Golden Door: Italian and Jewish Immigrant Mobility in New York City, 1880–1915 *by Thomas Kessner. New York, Oxford University Press, 1977. —xxvi, 224 pp. Cloth, $12.95; paper, $3.50.*

This is another monograph in the significant series *Urban Life in America*. Like most of its companions, it employs the principles and techniques of the new history, that is, it focuses on ordinary people, and uses basic quantitative data painstakingly unearthed from public and semipublic records. Although it is tempting to assume that there is nothing more to be said about ethnic mobility, especially in New York City, Kessner has discovered largely unexplored avenues of inquiry. Among these is the obvious question: granted that upward mobility occurred, just exactly *how* did it occur? What human choices and behaviors contributed to the success (and failure) of Jews and Italians in gaining an economic foothold in a not particularly hospitable environment?

The answer is a fascinating web of economic, family, and group decisions. Although no brief summary can do justice to Kessner's findings, the nub of the answer is that the Jews came with greater skills, with a determination to make their homes in the new country, and with a highly developed sense of ethnic identity. The Italians, by contrast, came with few marketable skills (at least initially), with little intention of staying in America, and with an identification base that did not extend much beyond the family. These three variables appear to be inseparable. Although Kessner does not attempt a formal model of mobility, he has the necessary raw materials. If they were formally presented, they would lead to a more complex explanation than those provided by single variable analyses.

Kessner successfully dismantles the currently popular view that America was less the land of opportunity than our myths and rhetoric preach. Both groups were successful in moving from menial, low-paid occupations to higher ones, although the rate of movement differed for each group, and it was a statistical progress—not all families were equally successful within the same group. Individual choice played an important role in the rate of mobility. Those willing to engage in "self-exploitation," as Galbraith has called it, were able to accumulate the capital, or education, or skills to move into better jobs or enterprises. Kessner's data show that not all were willing or able to make the sacrifices. He also demonstrates that length of residence in America was another important variable. The longer a person stayed, the greater the probability that he would move up to a better job.

For the political scientist, this volume contains very little "politics." Whether or how these immigrant groups interacted with the political order is not touched upon. The omission (if that's what it is) is hardly serious. The value of Kessner's work is that it gives us in rich detail a background which can be nicely meshed with longitudinal political studies of the ethnic experience, a background we have long lacked. For example, Andrew Greeley's excellent data, which tell us where the ethnic American is today, become more meaningful through Kessner's analysis of how he got there.

The quantitative methods used here are extremely simple, and some readers may

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wish that greater sophistication had been brought to the basic data. However, what was required was done, and there are virtues in the clarity and simplicity of the presentation. Students of the urban experience, of ethnic groups, and of social change should find this volume a necessary part of their libraries. Some, we can hope, will be moved to emulate it for other cities.

S. J. MAKIELSKI, JR.
Loyola University

A Place Called Home: A History of Low Cost Housing in Manhattan *by Anthony Jackson. Cambridge, Mass., The MIT Press, 1976.—ix, 359 pp. $15.00.*

Sometime before the Civil War, New York acquired the reputation it has long retained of being America's worst housed city. By 1909 the *Encyclopedia Britannica* referred to Manhattan's tenements as a "world scandal," ranking them below the infamous block housing of Berlin and Glasgow, Europe's most egregious. It is less generally known, however, that New York has also pioneered American housing reform.

Consequently, this useful study has significance well beyond the parochial nature of its subject. Manhattan's experience, albeit highly atypical, remains critical to any consideration of American housing and planning history. And housing history must be taken into account by policy planners as they appraise the staggering nature of present urban problems, though certainly they will find in it neither solutions nor even solace. For housing is, as this study documents, a notoriously exasperating as well as exceedingly complex field.

"The housing question," as it was known to reformers, consists of two richly intricate skeins: supply and affordability of housing in terms of demand, and adequacy of standards—a vague, indeterminate yet critical concept that may and increasingly does encompass the sociological and environmental as well as the structural. Professor Jackson's subject is the interplay between the private market and these housing needs. Of necessity, he stresses reform efforts to correct the shortcomings of the private market through model projects and reliance on government for regulation and since the New Deal subsidization.

His treatment of the subject from the 1830s until 1930s, by far the richest part of his work, will inevitably be compared with Lubove's *The Progressives and the Slums* (1963) which is the standard work. Lubove, an historian, is better on the broader reform context; Jackson, a professor of architecture, is stronger on the mechanics of the housing market as well as on the analysis of building types. (Unfortunately his design analysis falls short of John Nelson Tarn's excellent recent treatment of British low-cost housing schemes.) Lubove and Jackson thus complement each other. Both works, however, largely ignore the sociological dimension required to explain the shifting concept of "adequate standards" as related to housing expectations.

Jackson's treatment of developments after 1930 is cursory and derived from secondary sources. Yet it has value in highlighting some of the more interesting re-

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search on the subject. Though not without flaws and shortcomings, Jackson's work is a clearly written and useful overview of Manhattan housing history.

STANLEY BUDER
Baruch College, City University of New York

Economic Integration in New Communities: An Evaluation of Factors Affecting Policies and Implementation *by Helene V. Smookler, Cambridge, Mass., Ballinger Publishing Company, 1976.—xxxii, 236 pp. $15.50.*

For many Americans, new communities promise exciting alternatives to the squalor of older cities and the unplanned sprawl of suburbia. New towns also are attractive because of their potential for promoting socio-economic integration, thus providing more balanced communities than the segregated ones that characterize the contemporary metropolis. Because they are *de novo* developments, new communities can be designed to house a mix of income groups, while the lack of existing residents removes a formidable obstacle to the construction of housing for lower-income families.

Enthusiasm for new communities, however, has not been sufficient to overcome obstacles which have blocked the widespread development of new towns. Financial problems have proved to be a severe constraint, particularly because of the heavy initial costs incurred in developing an entire community from scratch. Federal assistance, designed to overcome these financial problems, proved to be inadequate, cumbersome, and half-hearted, and has been suspended. Despite these setbacks, and the resultant failure of new towns to become a major element in the housing picture, most new communities have provided a high-quality environment for their residents; and some have fostered socio-economic integration by providing a mix of housing priced to attract a fairly wide range of income groups.

In this useful study, Helene V. Smookler analyzes the conditions that foster socio-economic integration in new communities, and the implications of the development of a more balanced community for its residents. The volume is part of a larger evaluation of new communities financed by the National Science Foundation, whose findings are summarized in *New Communities U.S.A.* (D.C. Heath & Co., 1976). Fifteen new communities were investigated, primarily by means of surveys of residents and people living in nearby conventionally developed communities, and through interviewing of decision-makers involved in the development of the new community. Smookler is able to analyze the question of socio-economic integration comparatively, since seven of the new communities provided some low-income housing, while eight did not.

On the basis of the survey findings and interviews with 161 individuals involved in developing these communities, Smookler concludes that new towns provide a significant opportunity for residential integration, in which everyone seems to benefit. Low-income families are more satisfied with subsidized housing in new communities than in conventional developments. Middle-class residents, at least the ones

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willing to move into integrated new towns, are positive about their communities. If, as this study concludes, balanced housing is both economically and politically feasible, why have some new communities achieved some integration and others not? The answer, Smookler believes, lies primarily with the attitude of the developer, rather than with federal involvement, local political attitudes, location, or other factors. Provision of housing for lower-income families is most likely to result when the new-town developer is committed to meeting a broad range of housing needs by building lower-cost units and marketing them to low-income and minority families. Such commitment does not insure the provision of substantial subsidized housing, but its lack usually is fatal to the promotion of socio-economic integration in new towns.

Smookler's conclusions are adequately documented, although one wishes she had provided more details from her interview material. This stark volume (only 125 of its 236 pages are text, and about 30 percent of the 125 pages are tables) pays too little attention to filling in the picture the author sketches. The result is disappointing to the student of politics who would like to know more about the dynamics of the interplay between developer, local officials, and other relevant participants in the decision-making process. Nor does Smookler draw out in any detail the policy implications of her conclusions, except to argue that "to delay implementation policies in new communities or other less-planned suburban communities will only serve to reinforce the inequitable patterns of housing distribution." (p. 125)

MICHAEL N. DANIELSON
Princeton University

The Governance of Britain *by Harold Wilson. New York, Harper & Row, 1977. —xvi, 219 pp. $10.95.*

During the "bad distressing" days of October 1924, as Britain's first Labour government lurched toward its pitiable end, Ramsay MacDonald confided to his diary his intention, once the burdens of office were lifted from him, to write a book on "how the country is governed." That ambition, like so many of MacDonald's, was never realized. Fifty-two years later, the third Labour prime minister saw the project to completion. As it so often proved to be the case, Sir Harold Wilson, notwithstanding his claim to "a sense of history" (p. 106), has unwittingly followed where his controversial predecessor once led.

More pompously titled than any account which MacDonald might have produced, Wilson's book proves a disappointment in every respect. Discursive in structure and complacent in tone, it is remarkable chiefly for its reticence. Indeed, one of its ten chapters, ostensibly addressed to the theme of "The Prime Minister and National Security," is virtually no longer (and a good deal less forthright) than the extract from an admonitory speech by Harold Macmillan that introduces it. "There is no further information that can be usefully or properly added before bringing this Chapter to an end," Wilson declares after five staccato paragraphs on the subject.

As the reader is pointedly forewarned (p. xi), the emphasis throughout is on "full

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discretion," with the result that little is added to the commentaries by Richard Crossman, Robert Blake, and particularly G. W. Jones, from which the author quotes extensively and, as a rule, approvingly. Wilson has dealt knowledgeably, if not incisively, with the academic literature on the conduct of national affairs; but his survey of historical developments is perfunctory, and his revelations about his own experiences are, to say the least, guarded. All the same, he offers some well turned gibes at the press, which failed to accord him the deference he considered his due, at backbench rebels and fractious Cabinet colleagues (who "in preparing their speeches entirely fail to give any thought to the dilemma in which they place the prime minister" p. 137), and, most predictably, at assorted Tory opponents.

Confessing "a filial desire to base my Cabinet style on that of Clement Attlee" (p. 61), to whom he sometimes fondly refers as "Clem," Wilson is inclined to dismiss other men who recently preceded him up the greasy pole. Macmillan is the exception. He emerges from these pages as something of an obsession for Wilson, who treats him with an affectionate malice which, at times, may be construed as a malicious affection. Given credit for a mixture of "charisma and nonchalance" (p. 11), the other Harold is described as the author of a "highly revealing autobiography, based on a very full diary" (p. 64). Wilson implies strong disapproval on both counts. In a double-edged swipe at Macmillan and Crossman, Wilson avers "that not a word of this book was written until 7 April 1976, two days after I left No. 10. No prime minister in the 1970s would have the time either to do that or to keep a diary" (p. xiii).

Making no mention of Marcia Williams, his long-time private secretary and personal adviser whom he transmogrified into Lady Faulkender, Wilson makes certain to recount that Macmillan similarly relied on and rewarded John Wyndham. Yet, despite his persistent allusions to Macmillan and even his pious tributes to Attlee, H. H. Asquith is the predecessor whom Wilson most strikingly resembles. Asquith's definition of the premiership ("what its holder chooses and is able to make it") serves as a frontispiece and, one may infer, as a source of inspiration.

Like Asquith, Wilson was adept at juggling great issues and intraparty pressures. As opposed to either Lloyd George or Churchill—or, for that matter, to either Gladstone or Disraeli—both Asquith and Wilson rejected the concept of "overriding prime ministerial power" (p. 8). Instead, each self-consciously occupied a quasi-judicial position among their ministerial associates, who were appointed on the basis of ability, real or potential. Each tried in his own way to strike a "balance" of political forces, and used precisely this term: Wilson on p. 27; Asquith in a letter to Herbert Samuel. Wilson's perception of the Labour Party as a Broad Church corresponds with Asquith's comprehensive view of Liberalism. Wilson repeats Asquith's dictum (which actually originated with Gladstone) that a successful premier must be a "good butcher," correctly noting that Asquith himself was nothing of the sort until the war allowed him no choice; by the same token, Wilson admits "that I hated re-shuffles that involved dropping an old and valued colleague" (pp. 33–34). Finally, each man relied on his mediating skills to promote a consensus and to paper over disputes: Charles Hobhouse, one of Asquith's junior colleagues, marvelled in his diary

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on October 14, 1914 that, during his three years' service in the Cabinet, "a formal division . . . by votes was taken" only twice. Wilson, too, acted on the premise "that in reaching a decision Cabinet does not vote, except to save time, on minor procedural matters" (p. 55).

Aside from such parallels, which the reader must draw unassisted, the text affords neither stimulation nor instruction. Wilson's final chapter on "Transatlantic Comparisons"—concerned exclusively and idiosyncratically with the Johnson years—is an embarrassment. Intimate contact with L.B.J. left its mark on Wilson's vocabulary: "the immensely increased work load at No. 10 . . . meant that I had to be back at the ranch" (p. 84). Ramsay MacDonald was the first British Prime Minister to pay an official visit to the United States, and at no perceptible cost to his prose style. For all his faults, his would have been a better book.

STEPHEN KOSS
Columbia University

Franco's Political Legacy: From Fascism to Façade Democracy *by José Amodia. Totowa, N. J., Rowman and Littlefield, 1977.—348 pp. $15.00.*

This book describes and analyzes the formal institutions, statutes and major legislation of the Franco regime (1936–1976). As a treatment of government structure and constitutional law, it is largely accurate and useful, for the only other work remotely like it is Jacques Georgel's *Le Franquisme: histoire et bilan, 1939-1969* (Paris, Editions du Seuil, 1970). Its chief value lies in the seven main chapters which deal with the head of state, the government, the Cortes (parliament), the National Movement, the syndical organization, the judiciary and the restricted nature of civil rights under the old regime. These topics are generally treated with precision and the resulting legal descriptions will be of undoubted value to students of comparative government. The book's utility is further enhanced by a full English translation of the Franquist constitution.

Amodia's work suffers, however, from the limitations of its focus, since it is neither a history of the Franquist regime nor a history of Spain under Franco. Without a grasp of political dynamics and the peculiar political sociology of Spain under Franco, the full nature and workings of the system cannot be understood. As a Spaniard who opposed Franquism, Amodia frequently finds it hard to be fully objective about historical background, functional reality, or ultimate tendencies. Nonetheless, the author's personal feelings do not intrude so prominently as to mar the technical utility of his book.

Problems of terminology and concept are occasionally severe. The term *fascism* frequently crops up, yet no exact definition of it is offered. What most scholars would term pretorianism is here referred to as militarism, though of genuine militarism there has been extremely little in modern Spain. One of the major mistakes, it seems to me, is Amodia's somewhat simplistic and reductionist notion that the structure of the regime is primarily derived from the Falangist doctrine. Falangism in fact

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provided no blueprint for a state system. The actual institutionalization of the regime was inspired by the right authoritarian corporatist theories of José Calvo Sotelo and by Victor Pradera's *El Estado nuevo* (Madrid, 1935), which may have been Franco's favorite work of political theory. Neither writer is mentioned in this book.

This points up the two major weaknesses of Amodia's work, which come at the beginning and at the end. The historical background provided in the introduction is weak and in some respects misleading, while the summary of "political forces, pressure groups and opposition" in the last chapter is too brief and incomplete to do the job. Finally, Amodia concludes with a personal statement to the effect that the institutions of the regime are essentially incapable of self-reform, and will probably achieve no more than a "facade democracy." Since Amodia's use of terminology is somewhat arbitrary, he can presumably call anything that he dislikes a "façade democracy." However, since 1976 when this conclusion was written, the basic institutions of Franquism—the authoritarian corporative Cortes, the National Movement, the syndical organization, the main aspects of police and legal controls—have all been dissolved or replaced (October 1976–April 1977). In view of these developments together with the legalization of the Communist party and the prospect of free elections (scheduled at this writing for June 1977), it seems likely that something more than "façade democracy" is involved.

STANLEY G. PAYNE
University of Wisconsin-Madison

Socialist Opposition in Eastern Europe: The Czechoslovak Example *by Jiri Pelikan. New York, St. Martin's Press, 1976—221 pp. $12.95.*

This is the second of Mr. Pelikan's books in English based on "documents" the authenticity of which it is difficult, if not impossible to verify. (*The Czechoslovak Political Trials 1950-1954*, London, McDonald & Co., 1971, was his first book). The Western scholar accustomed to scholarly paraphernalia will find this book, with its complete lack of documentation, lack of a bibliography, and references to unnamed illegal journals, underground literature, samizdat, etc., extremely frustrating. The author does not even attempt to document events that are open to different interpretations. (For example, whether "Soviet intervention in Czechoslovakia could have been prevented by a different reaction from the Czechoslovak leadership," as Mr. Pelikan asserts (p. 80), is highly debatable.)

The book consists of two parts: 113 pages of editorializing, and 104 pages of "Documentary Appendix," which includes a collection of manifestos, appeals, proclamations and letters. At the very beginning of the book, Mr. Pelikan expresses great indignation over "the stream of parliamentarians, ministers and above all businessmen with Moscow as their destination" that "began to flow" not long after August 1968, as if nothing had happened and as if August 1968 were "a thing of the past" (p. 7). Whether Mr. Pelikan likes it or not, the "Prague Spring" and Soviet intervention are things of the past, like Vietnam and Laos.

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In tracing the history of the socialist opposition in Czechoslovakia, Pelikan stresses that it "has always differed from the anticommunist opposition on the Right, which existed since the party came to power in 1948," only to tell us in the next paragraph that after 1948 opposition "was essentially not directed against the socialist system as such, which by and large was accepted by the majority of the population, but rather against all its deformations . . ." (p. 10).

As the director of Czechoslovak television from 1963 to 1968 and a Communist since the Nazi occupation, Mr. Pelikan admits that the "Czechoslovak Communists —and the author was one of them— cannot be released from their responsibility . . ." for the "tens of thousands of Czechs and Slovaks who ended up in prisons or forced labor camps" (p. 12). In what appears to be an attempt to ease his conscience, he adds that "they became aware of the extent and disastrous consequences of this tragedy only much later, at a time when the repressive machinery turned against themselves . . ." (p. 12).

Since, according to the author, no political activity was permitted outside the party after 1948, opposition to the "deformations" had to come from within the party. "This was by no means a conscious, organized process" (p. 14). It evolved gradually, and eventually led to the ouster of Novotny in January 1968, and the election of Dubcek to the post of First Secretary. Under Dubcek there emerged three main groups within the party: progressives, centrists, and conservatives. The author tells us that even during the Soviet intervention there was "a degree of unity . . . among the Dubcek supporters, the progressives and radicals and even certain conservatives" (p. 25). It was only after the party leadership was forced by Moscow "to declare the Fourteenth Party Congress null and void" that the Party split (p. 26). After August 1968, the leadership of the "Prague Spring" was gradually eliminated from party and government positions, and finally "when Dubcek had served his purpose . . . Marshall Grechko came forward with his ultimatum in March 1969, which placed Husak at the head of the Czechoslovak Party" (p. 38). This quotation clearly implies that Moscow had decided that Dubcek had to go, yet the author places a great portion of the blame for Dubcek's ouster on Dr. Husak and the Slovak leadership which "was the first to place itself in the service of the Soviet occupying power and the policy of 'normalisation' and thus contributed decisively to Dubcek's overthrow" (pp. 18–19). After 1969, says the author, opposition within the party was no longer possible and thus the "advocates of an organised opposition have the choice of two alternatives": the establishment of a new Communist Party, or the formation of a socialist movement (p. 41). According to Pelikan, the first alternative was rejected because the "Communist Party had discredited itself" and because such a step would expose the leading progressives and "this would make the action of the police easier and accelerate the liquidation of the Party" (p. 42). Thus, the second alternative, a socialist movement "based on the 1968 programme and on a *sociailst base in the people*," was chosen (p. 42).

The author then discusses the program of the socialist opposition presented in the Manifesto of 28 October 1970. He hails it as "the programmatic foundation of the socialist opposition" which was supposed to be "submitted for discussion to the en-

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tire population" (p. 45). Later (p. 96) he maintains that under the prevailing conditions the opposition cannot "elaborate complex conceptions and programmes, *discuss them with the working people . . .*" (emphasis added). The Manifesto proposes the establishment of "democratic socialism" as opposed to "bureaucratic socialism" and to capitalism. One can indeed ask whether "the establishment of a pluralist socialist political system . . . in which all parties and organisations shall be equal partners" is compatible with the principles of Marxism (p. 46). While Pelikan tells us that Lenin "did not rule out the system of plurality of parties," he does not tell us whether Marx did (p. 81). Marx does mention political parties in several places, especially in the *Communist Manifesto* (Part II and Part IV) where he describes in parts II and IV the role of the communists and "other proletarian parties" and their relations with opposition parties within a capitalist society. He does not, however, speak of a "system of plurality of parties" in a socialist society. This leads me to a question posed in the first sentence on the inside jacket of the book: "Do the current regimes in Eastern Europe have a monopoly of wisdom about what socialism is and how it is to be constructed?" The answer to that question seems obvious: they do not—but neither has Mr. Pelikan!

It is the opinion of this reviewer that the author finds himself caught between his desire to produce a scholarly work and his hopes, aspirations and dreams of a new "Prague Spring" and the mobilization of all the democratic and socialist forces for a transformation of the bureaucratic Stalinist system into a democratic one" (p. 52).

FRANK DINKA
Southwest Missouri State University

Revolutionary Law and Order: Politics and Social Change in the USSR *by Peter H. Juviler. New York, The Free Press, 1976.—xii, 274 pp. $13.95.*

Soviet law in general, and Soviet crimial law in particular, is designed as an instrument of social engineering, that is, as a legal platform for political action. The historical mission of Soviet law is to help to create the new Soviet man who will ultimately live in that propertyless, classless, stateless, and lawless society known as communism.

The three purposes of Soviet criminal punishment are retribution, rehabilitation and deterrence. Depending on the dominant combination of subjective and objective factors during successive historical periods, emphasis has shifted from one to the other of these goals. For example, during Stalin's era the primary, and perhaps exclusive, purpose of criminal law and punishment was to serve as a "tool for sweeping away obstacles to socialist construction" (p. 48). This goal was reflected in the general tendencies of the law: punishment was excessive, cruel, and unusual; criminal statutes were vague and overbroad; retroactive criminal legislation was not only permitted, but was, in fact, generally condoned; the concept of crime by analogy was universally adopted.

In criminal procedure during Stalin's era the defendant was presumed guilty until

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his innocence was proved; the prosecution had only to show the probability that a crime had been committed; for lack of objectively verifiable rules of evidence, all evidence was admissible in criminal trials, including hearsay, and convictions were often based on uncorroborated hearsay evidence; the defendant had no right to counsel since the presence of counsel in criminal proceedings was deemed to be an obstruction to the administration of criminal justice; the independence of the courts was an alien concept.

Contemporary (post-Stalin) Soviet criminal law and procedure have undergone radical change. For example, criminal statutes are better drafted, even though some are still arguably vague and overbroad; the number of prosecutable offenses has been substantially reduced; prejudicial retroactivity is no longer permitted in criminal legislation; the concept of crime by analogy has been abandoned, and along with it the doctrine of guilt by association; the criminal defendant is presumed innocent until proved guilty; the burden of proving the defendant's guilt rests squarely on the prosecution; the standard of proof is proof beyond a reasonable doubt; the independence of the judiciary has been resurrected for the most part; and the right to counsel has been given a substantial boost.

This general metamorphosis of Soviet criminal law and procedure is very ably captured by Professor Peter Juviler in this interdisciplinary study. The author's analysis is historical, his research thorough, and his writing style very lucid. On the whole the book is a highly commendable piece of original research into a current topic in Soviet law—the political uses and abuses of criminal law by succeeding generations of Soviet political leaders.

The author observes that the Bolsheviks seized political power with the promise to "change everything [and to] renew everything" (p. 13), which included the determination to wipe out crime and the causes of crime in the new Soviet state. But sixty years later the Soviet Union is still plagued "with a crime problem of major proportions . . . [despite] a bureaucratic state of coercive power and coercive impact far greater than anything that the tsars bequeathed to Russia" (p. 13); Second, during the first seven years of Stalin's rule (1928–1934) the Soviet people witnessed a "hurricane of violence" (p. 66) as "Stalin did 'unfetter the police' beyond any dream of U.S. hard-liner foes of 'coddling criminals' " (p. 67); Third, because of the criminal law reforms that were carried out by Nikita Khrushchev and Leonid Brezhnev, "law and order appears to be closer to realization now than under Stalin" (p. 175). But even though totalitarian controls are still in force in the USSR, Soviet societies are far from being a policeman's paradise.

This reviewer finds a few minor objections to Juviler's book, though they reflect the reviewer's value judgments rather than indict the author's scholarship. First, even though the historical analysis reaches from the Russian Judicial Law Reform of 1864 to the present, disproportionate attention is devoted to Stalin's period. Second, the wealth of information and statistics provided in some chapters do not seem to have been fully assimilated into the author's discussions. As a result, one gets the impression at times that one is reading an encyclopedia of pre-1958 Soviet criminal law and the procedural practices of Stalin's courts. Third, it is doubtful that the materials dealing with

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Soviet criminology belong in a study that is preeminently devoted to an analysis of Soviet criminal law and procedure. Perhaps the unity of the author's theme suggested by the title of the book—*Revolutionary Law and Order*—would have been better preserved had the author left out the diversionary discussions of criminological research in Soviet Russia.

These observations do not in any way detract from the high quality of Professor Juviler's research. The book is a welcome addition to the growing Western literature on the dynamics of Soviet criminal law and penal policy.

CHRIS OSAKWE
Tulane University Law School

Yom Kippur and After: The Soviet Union and the Middle East Crisis *by Galia Golan. Cambridge, England, Cambridge University Press, 1977.—ix, 350 pp. $18.95.*

Conspiracy theories abound among commentators striving to elucidate the complexities of Middle East politics. Galia Golan's *Yom Kippur and After* refutes the theory that the Arab-Israel war of October 1973 (the Yom Kippur War) was deliberately plotted by the Soviet Union along with the Arabs. Soviet policy in the Middle East, Golan suggests, has been ambivalent and uncertain, rather than conspiratorial. In pursuit of strategic, political, economic and ideological interests both globally and regionally, the Russians shift their tactics as new opportunities or dilemmas arise.

Golan, an Israeli scholar, engages in minute scrutiny of the Soviet press, which she supplements with references to Arab, Israeli, and Western sources. She draws inferences from variations in tone or nuance of Soviet commentaries. This method does detect shifting emphases in Soviet policy, but results in too literal an interpretation of official statements. The book also suffers from a heavy, pedantic style. After presenting an analytical framework, Golan follows a descriptive, chronological approach. Nevertheless, in amassing extensive documentation to substantiate her central hypotheses, she has provided a valuable reference work for scholars.

Golan argues that "the major Soviet foreign policy preoccupation in the 1970's has been detente . . ." (p. 1). The pursuit of Soviet goals in the Middle East has been constrained by concern over provoking Soviet-American confrontation. Although the Arab-Israel conflict has undoubtedly facilitated Soviet penetration of the Arab world, persistent conflict threatens excessive instability. The Russians have therefore developed an interest in a political solution. This engendered friction with their Arab clients, who wanted Soviet assistance to regain militarily the territories lost to Israel in 1967. The result, Golan maintains, was dualism in Soviet conduct, entailing "Soviet efforts to restrain the Arabs while in fact providing them the wherewithal . . . to pursue the very goals opposed by Moscow" (p. 74). The dismissal of Soviet advisers from Egypt in July 1972 was attributed to the Soviet refusal to deliver offensive weapons. By contrast, the resumption of arms shipments to Egypt several months later implied that Moscow would not obstruct military action. Although the Russians

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were not a party to Arab planning for the October War, Golan explains, they decided to avoid further erosion of their position by posing as champions of the Arabs once hostilities erupted. However, they were unwilling to intervene directly in the war if Arab fortunes declined, and urged the hasty conclusion of a ceasefire agreement.

The cornerstone of Soviet interests in the Middle East has consistently been Egypt, Golan asserts. The Russians were distressed by Egypt's turn toward the West after the October War, and applied pressure to bring President Sadat into line. One means was withholding arms supplies; another was increased support for Syria and more radical elements in the Arab world, including the "refusal front" (Iraq, Libya, and Algeria) and the Palestine Resistance. The Russians failed to counter American inroads in Egypt, however, and success with Arab radicals was inhibited by Soviet refusal to deny Israel's right to exist.

The Russians, moreover, were annoyed at being excluded from negotiation of the postwar disengagement accords by Henry Kissinger, which they viewed as a thrust toward a *Pax Americana*. In Golan's assessment, "a settlement to which the Soviets were a party could provide a legitimacy and formalization of the Soviet presence in the area, particularly if the Soviets achieved their desired status as co-guarantors . . ." (p. 19). On the other hand, the Russians might well try to jeopardize a settlement that excluded them altogether. The author thus implies that the future course of Soviet policy in the Middle East hinges to a large extent on the sagacity of American diplomacy.

NAOMI JOY WILLIAMS
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Detente and the Democratic Movement in the USSR *by Frederick C. Barghoorn. New York, The Free Press, 1976.—x, 229 pp. $12.95.*

This book discusses the views of the various groups of dissidents in the Soviet Union on foreign policy, the influence of the foreign policy priorities of the Soviet leaders on their treatment of dissidents, the differences between official American and Soviet concepts of détente, and the built-in limitations on the possibility that détente, as practiced until 1976, may evolve into positive American-Soviet cooperation. The author's long personal experience of the Soviet Union, and his familiarity with the massive literature in Russian both from official and from dissident sources, make this short and clearly written work a valuable source of enlightenment to all who wish to understand Soviet political realities. Those who prefer to run away from unpleasant problems, in the hope that the problems will run away from them, will find nothing in these pages for their comfort.

One point that will strike the careful reader is the extremely wide range of opinions on the Soviet Union's place in the world to be found among those conveniently lumped together under the current descriptive term "dissident." These include admirers and opponents of western democracy, religious believers and atheists, Lenin-

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ists and social democrats and liberals and conservatives, Russian nationalists so insistent on the unique virtues of the Russian nation as to deserve the name of Russian national socialists, and spokesmen (some of them Russians) for the rights of non-Russian nations. The views of the three most sophisticated and eloquent exponents of the main opinions—the Christian neo-Slavophil Solzhenitsyn, the scientific rationalist democrat Sakharov, and the unrepentant advocate of a reformed and purified Leninism, Medvedev—are carefully expounded and analyzed by Professor Barghoorn.

A second striking point is the way Soviet leaders fluctuate between relative tolerance and relative severity. No very consistent pattern emerges. One is left with the impression, but without precise evidence, that the security police chiefs are reluctant to use all their powers, and that the different types of dissident opinion have their protectors within the hierarchy of the communist party. Possibly this is connected with the fact that Brezhnev cannot remain in charge much longer, and that individuals and cliques ambitious for the succession are looking for ways of making themselves more popular than their rivals.

Historians cannot resist the temptation to compare periods of Russian history. Intellectual and spiritual life in general are more constricted, within narrower bounds, than they were under the Tsars; and the Soviet rulers are quicker to detect, and more determined to prevent, any contact between political critics and workers or peasants. But the expression of heretical political opinions in 1977 is less dangerous than it was under Nicholas I. The Petrashevksy Circle was treated more severely than today's dissidents.

There are similarities between the Brezhnev regime and that of Nicholas I: backwardness in agriculture and technology, and the slogan-mongering of orthodoxies which are but a residual mish-mash of the original faith, and in which not even the zealous believe. But the external environment of Brezhnev's Russia is very different from that of Nicholas's. In 1850 all Europe feared the military power of Russia, until the Crimean War showed that the giant had feet of clay. In 1977 the fear of nuclear holocaust forbids western governments to use the threat of war, or war itself, as a means of policy. But under the nuclear umbrella Brezhnev's Russia is building up a vast panoply of "conventional" weapons with which to overawe Europe and the world. The overwhelming power of these weapons is not, like the supposed power of Nicholas's Russia, a fiction. The final difference is that, whereas Nicholas faced European rulers in every sense as tough as himself, the parvenu elite of Brezhnev's Russia, power-conscious and power-obsessed, face western rulers who, whatever their true inward characters may be, seem set on convincing the world that they have lost their nerve. One would like to ask Mr. Barghoorn how these historical comparisons affect his perspectives.

G. H. N. SETON-WATSON
University of London

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Deterrent Diplomacy: Japan, Germany, and the USSR, 1935–1940. *Selected translations from* Taiheiyō sensō e no michi: kaisen gaikō shi. *Edited by James William Morley. New York, Columbia University Press, 1976.—ix, 363 pp. $17.50.*

According to William H. Riker's *Theory of Political Coalitions* (New Haven: Yale University Press, 1967), coalition partners always try to establish a minimal winning combination in order to maximize their share of the expected spoils. In this book three Japanese scholars demonstrate that the Anti-Comintern Pact of 1936 and the Axis alliance of 1940 fit Riker's formula, but that the combinations failed both because the allies dreamed different dreams and because Japan's civilian and military leaders were constantly working at cross purposes. The Japanese, Germans, and Italians hoped to cow the United States sufficiently to permit the uninterrupted conquest of their other opponents, thereby maximizing their gains *without* going to war. Hence the title: *Deterrent Diplomacy*. But the Axis powers were so widely separated by cultural and spatial distances that they failed to coordinate their strategy. Consequently, in little more than a year after signing the Axis pact they found themselves at war with the very nation they were hoping to deter.

In their fine essays on the Anti-Comintern Pact and the Axis alliance, Ōhata Tokushirō and Hosoya Chihiro imply that the fragmented nature of Japan's decision-making system allowed a few true believers to find allies among their German counterparts. They would then draft pacts, which alarmed some of their wiser superiors, and would use their connections with the leaders of Japan's Army to replace hesitant cabinets with pro-Axis governments. And indeed negotiating the pact required a great amount of free lancing by diplomats on both sides. By interviews, Morley has confirmed Hosoya's suspicion that Eugen Ott, the German Ambassador to Japan in 1940, made the Axis alliance possible only by misleading *both* the Japanese and his own government. Without ever informing Berlin, Ott signed a covering letter which vitiated Japan's automatic obligation to aid its partners militarily in case of a conflict with the United States. Since the alliance rested on a lie, it subsequently meant very different things to the Germans and the Japanese. The Germans, thinking they had gained a partner in aggression, began pressing Japan to attack Singapore, while the Japanese, hoping they had gained a partner in peaceful coercion, sought German mediation in order to reach an understanding with the Russians. Hata Ikuhiko demonstrates the source of Japan's fear of Russia by describing in his essay the severe defeats that the Russian Far Eastern forces inflicted on Japan in 1938 and 1939 in two large border incidents provoked by Japanese field officers. These defeats sent Japan scrambling for a neutrality pact in 1941, but the Germans then turned on the Russians without consulting the Japanese. For their part the Japanese did not act when the Americans engaged the Germans in an undeclared naval war. The Axis pact proved empty in practice.

Since Japan's leaders distrusted Germany and hoped to avoid war, Hosoya argues that Japan might have made a deal with the Americans (pp. 198–201, 230–31). This argument begs the main point. The Japanese were not engaged in deterrent di-

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plomacy for defense, but rather in compellent diplomacy to force the Chinese, Dutch, French, British and Americans to grant them vast new territories in China and Southeast Asia. The Japanese army was determined to conquer China, and therefore any settlement would have meant one less ally for the beleaguered western powers. The three essays in this volume show that Japanese expansionists of all ranks committed independent acts of aggression very readily. Consequently a deal made at the expense of China would have imperilled Russia and the United States sooner rather than later. Compellence is much more difficult to achieve than deterrence, and compellent diplomacy requires greater military backing than deterrence. In 1940, the Japanese thought that the German threat would make the Americans realize that Asia was not worth defending, but they miscalculated the probability of German success against Britain. The United States, threatened indirectly in two oceans, decided to prepare for war on both fronts, and the Axis alliance proved in the end to be a losing coalition.

This is the first of five volumes to appear (the Japanese original contains eight). The editors and translators have selected those parts of the series which provide new materials on Japanese foreign policy, and they have rendered their selections in smooth, accurate English. When the series is complete, we shall have a much more detailed understanding of Japanese decision making than we have at present.

STEPHEN E. PELZ
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Political Brokers in Chile: Local Government in a Centralized Polity *by Arturo Valenzuela. Durham, N.C., Duke University Press, 1977.—xiii, 272 pp. $13.75.*

This is a useful, informative and much needed study of the organization, activities and location of local government in the Chilean political system. The study is divided into three sections: part one describes the stakes in local politics and its place within the competitive party system; part two focuses on the centrality of particularistic demands in local politics and the local and national networks and linkages that facilitate their articulation; and part three deals with a historical survey of center-local relations, throwing new light on municipal reform movements and the steady deterioration of local government.

One of the most useful discussions, found in Chapter Seven, considers the use and abuse of patron-client conceptualizations in describing political and social action. Valenzuela convincingly argues that particularistic orientations were linked to ideological programmatic ones. The numerous efforts of social scientists to counterpose one to the other misses the manner in which, in cases like Chile, they are fused. The author notes that this dual system is linked by party networks that bridge both arenas (p. 166). Given the sparse financial resources, encroachments of the national bureaucracy and the bad relations between the center and the local mayors, there is

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little organized activity directed at influencing local government and, not surprisingly, a plethora of individual particularistic petitions and requests.

The author emphasizes the positive features of particularistic politics—omitting alternative possibilities. The proliferation of particularism often leads to special legislation (and the diversion of energies from substantive legislation), that cannot be financed. Hence delays in payment and special favors for some at the expense of many are frequent. More important, the author fails to consider the class context of state allocations and to measure the bias both of substantive legislation and particularistic activities. To what degree did the overwhelming emphasis on parliamentarian particularistic politics reflect ruling class control of legislation as a means of limiting more substantive changes?

Though the author shows the growth of governmental centralism, he does not link it with comparable changes in the economy and society or with shifts and realignment of social forces.

The author presents a brief but informative account of the conditions of municipal government in Chile under the Pinochet dictatorship. The salient feature is the breakup and dissolution of most preexisting ties and the last remnants of local autonomy, and their replacement by a highly militarized hierarchical schema totally unresponsive to popular needs—particularistic or otherwise. This raises a more fundamental question of the relationship between the intricate system of alliances, brokers and clients and the social crises that ensued. It seems to this writer that a simple return to the past in which privileges for the upper class and particularistic favors for the lower class is not viable as an alternative to the present void. The degree of class polarization and conflict evident in Chile between 1967 and 1973 (and conspicuously absent from this account) suggests that new forms of local popular representation are on the agenda, forms that can translate particular needs into social policies that unify instead of separate the popular classes.

JAMES F. PETRAS
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The Myth of Marginality: Urban Poverty and Politics in Rio de Janeiro *by Janice E. Perlman. Berkeley, University of California Press, 1976.—xxi 341. $14.95.*

By the mid-1970s it is demonstrable that the military coups that scourged Latin America in the 1960s were galvanized by little more than nightmares of bad conscience. The utter terror that swept the upper and middle classes and the U.S. government can be seen to have been groundless. It was imagined a decade ago that the masses, wrenched from rural serfdom to the disorganization of the city slums and squatments, imprisoned by their own self-defeating traditionalism, would become frustrated, resentful, and finally violent. Disoriented, "marginalized," they would be easily infected with revolutionary viruses. Instead they turn out to have been pathetically delighted with their transportation to the city's bright lights and petty di-

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versions, and just as fully deluded by visions of social mobility as the proletariat of much richer countries. Their leaders, invariably bought off or bumped off, have shrewdly observed that their personal best interests lay in perpetuating the slums, and the new urban slum dwellers, wary and divided, have not the slightest intention of doing other than carrying out orders from above.

In the 1960s the great majority of social scientists perpetuated the "myth of marginality," quite often partaking of bourgeois fears and smugly convinced of the efficacy of their sort of planning to uplift and pacify. Perlman's thesis, that the degradation of the urban squatters is not the result of cultural or psychological marginality, but of exploitation, discrimination, and repression, no longer comes as a surprise. Nevertheless, this is an extremely useful description of the life-situation of the more than one million squatters of Rio de Janeiro. In addition, it offers systematic criticism of the marginality school, and restates many recent studies that apply dependency theory as an interpretive scheme. Intimate observation of three separate *favelas*, or squatter neighborhoods, in Rio provide the basis of the study. In each favela the author interviewed 250 residents and community leaders in 1968, '69 and '73. Perlman's description of life in the favela is quite different from that of most urban "experts" and the Oscar Lewis school of social scientists. The inhabitants are orderly, honest, hardworking, imbued with middle-class values, and manage quite successfully to maintain stable families and to develop community organizations. Unfortunately for them, bourgeois society must contain their wages if it is to flourish, and thereby relegates them to an endless scramble for crumbs. Urban authorities zone the *favelados* out of school districts, police terrorize them, bureaucrats con them, and businessmen cheat them. The principal response of Rio's government to the favela has been removal, by means utterly contemptuous of the civil and economic rights of their inhabitants. One of the favelas studied by Perlman was demolished in 1970, with disastrous consequences for the inhabitants who now exhibit, in their public-housing slums, the malaise and resentment attributed to them, but nonexistent, when they lived in their squatter settlement.

The political understanding of the favela inhabitants, nevertheless, seems not to have advanced very much over that of their rural cousins. Rich and poor exist because "it has always been that way," (p. 177) the most important right possessed by Brazilian citizens is "the right to support the government," (p. 188) nationalism and violence in support of social change were concepts so far out that they died in the pretest questionnaire. The more articulate, knowledgeable, and influential the favelado, the more conformist he is. Acquiescence signifies not apathy or ignorance, however, but a "keen understanding" (p. 187) of the power and ruthlessness of the forces ranged against them. Even the urban guerillas were seen as outsiders who "all have relatives who are lawyers or have connections in the military" (p. 187).

Perlman masterfully confronts the marginalist school with these realities. In her view the marginalists are not merely evasive or incompetent, but engage in ideological warfare against the lower class. Marginalism posits a fragment of the proletariat that is vicious, irrational, and self-destructive. This assumption enables the elite to pit the lower class against itself, to blame everyone but themselves for society's ills,

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and to take actions for their own benefit without concern for the civil rights of the masses. This is an excellent critique of class-biassed social science, and a powerful example of social science of radical perception.

WARREN DEAN
New York University

Power and Class in Africa *by Irving Leonard Markovitz. Englewood Cliffs, N.J., Prentice-Hall, 1977.—xiv, 398 pp. Cloth, $12.95; paper, $8.95.*

The clearest indication of a change in the dominant paradigm is the publication of a book intended for use as a class text which rejects that paradigm. With this book, we can see the passing of the old guard—both in studies of Africa and in works on the Third World in general. Unfortunately, the successor paradigm remains distressingly indistinct here.

Markovitz sets out to provide a comprehensive overview of African politics. Building on his earlier work, he is now writing within the framework of what has come to be called dependency theory. The underdevelopment of Africa cannot be explained in terms of inadequate resources, or lack of capital, skills, and technology, or the instability of African states. Rather, the underdevelopment of Africa must be understood in terms of the incorportaion of Africa into an expanding capitalist world economy and, within Africa, in terms of the interrelationships of the organization of production and the structure of power. Class formation and class conflict must be integral elements of any adequate explanation of African politics. In this effort, Markovitz has contributed to the demise of "theories of 'modernization'—a term that we must consider no longer neutral or technical but ideologically shaded . . ." (p. 81).

Within this framework, Markovitz outlines the evolution of African politics, from precolonial through postcolonial phases. He focuses specifically on the emergence of a new ruling group—the "organizational bourgeoisie"—and the consolidation of its power. Within this broad outline Markovitz has interspersed a wealth of data on individual states and comparisons across Africa, between African and other former colonies, and between African and industrialized states. All too often, however, in this intermingling of outline and data, the one overwhelms the other, which is particularly confusing for readers unfamiliar with African politics.

The major success of this book is in its debunking effort. Using its own data, Markovitz rejects many of the claims of the modernization school. He is especially clear on the persistence of poverty, or rather the persisting impoverishment of Africa, and on the inability of "modernization" approaches to explain it or to develop strategies to overcome it.

Yet Markovitz is not yet ready to take the next step, to make full use of the orientation and methodology he favors. Throughout the book he asserts the importance of class, and he shows that explanations based on that assertion are consistent with events. But he does not develop an understanding of class and class conflict and use it as an analytic tool in the study of Africa. Perhaps because of the complexity of the

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methodology, Markovitz tends to prefer description to analysis. His major analytic category, the "organizational bourgeoisie," becomes a cluster of positions—"top political leaders and bureaucrats, the traditional rulers and their descendants, and the leading members of the liberal professions and the rising business bourgeoisie [and] top members of the military and police forces . . ." (p. 208)—rather than a class. To develop concepts that are dynamic, which is not the same as a succession of static views, and a methodology that is in fact dialectical, while at the same time insisting on rigorous and scientific explanations, is not an easy task. But it is essential. And this is an area where students of Africa are doing some very creative work.

The result of Markovitz's reluctance to develop the concepts and methodology of dependency theory is that his major analytic categories remain too ambiguous to bear the weight of explanation he claims for them. In fact, he often retreats into the dominant paradigm, for example in some discussions of tradition and ethnicity. Markovitz wants to note the demise of the old guard, but the lack of clarity in his analysis lends support to their challenge to dependency theory as ideological and unscientific.

It is not enough to claim that classes exist in Africa and that a new ruling class has emerged after the termination of colonial rule. We need to know more about the links between those in power and the transnational corporations that dominate African economies, and between those in power and the peasants far from the capital. We need to know more about the conflicts between those African entrepreneurs who have succeeded in accumulating capital and those who are the directors and managing agents of foreign capital. We need to know how the corporate interests of the bureaucracy relate to the class interests of an aspiring bourgeoisie, in a context in which ethnic, regional, and religious identifications are mobilized in political conflicts. We need to know how different patterns of agricultural organization relate to each other and to different types of industrial production. And we need to understand the tensions and conflicts that are incorporated within these things, that change as Africa and the world change.

Markovitz's book is an important effort. He does show the inadequacy of modernization theory. He situates general trends in detailed case studies. He is basically correct. But he does not seize the chance to develop a substantial alternative.

JOEL SAMOFF
University of Michigan

Why Poor People Stay Poor: Urban Bias in World Development *by Michael Lipton. Cambridge, Mass., Harvard University Press, 1977.—467 pp. $15.00.*

It is now clear that the rapid economic growth, characteristic of the 1960s in many underdeveloped countries, has been of little or no benefit to perhaps a third of their population. As the evidence of growing inequality in the Third World rolls in, it produces varied reactions among politicians, policymakers and economists. Conser-

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vative politicians and orthodox economists have generally upheld their faith in the overriding importance of economic growth, stating flatly that only through increased GNP will there be anything significant to redistribute. Critics on the left have advocated replacing the goal of growth with a composite index of social welfare that incorporates and stresses the standard of living of the mass of the people. In short, both the Right and the Left have implicitly accepted the notion that in the underdeveloped world the tradeoff between economic growth and social equity is severe and increasing.

In this extremely significant and well-researched book Lipton manages to move beyond passive acceptance of the growth/equity tradeoff. By investigating the potentialities of agricultural development he demonstrates a way in which the Third World might avoid the truly terrible social costs of economic progress, and, in so doing, sheds new light on what is perhaps one of the most challenging policy questions of the modern age. It is Lipton's contention that the most serious unresolved conflict in the poor countries of the world today is between the rural and urban classes. A combination of public policy and private market power have contrived to put domestic savings and foreign aid to urban and industrial uses. Less than 20 percent of investment for development has gone to the agricultural sector despite the fact that in less developed countries 65 percent of the people depend for a living on agriculture.

The central conclusion of *Why Poor People Stay Poor* is that economic growth and social equity are compatible if massive resources are invested in the rural sector. The most fundamental reason for this proposition is that in the early stages of development, when labor is plentiful and the opportunities to save scarce, small scale farming offers the only hope of both growth and equity. In essence, it constitutes that part of the economy in which a given amount of scarce investable resources will be supported by the most human effort.

In a final section Lipton translates this theoretical conclusion into policy terms, and in this sphere he is both more depressing and less convincing. He distinguishes two political scenarios, the persuasive and the revolutionary. The first assumes democratic or autocratic capitalistic contexts in which policymakers have become convinced that agricultural development is a good idea. However, the evidence that this promotes social welfare is less than compelling. It seems that even when considerable resources have been redirected toward the rural sector, the goodies have normally gone to rich peasants (as in India) or to large scale cash crop production (as in Brazil), with predictable negative effects on social welfare. The second scenario is more convincing, and I would agree wholeheartedly with Lipton when he states that "... only revolution can substantially improve the access of the rural poor to income and power" (p. 329). China and Cuba are extremely good examples of countries that have successfully pursued egalitarian goals through agricultural development, but these case studies disturb Lipton's central thesis by suggesting a different chain of causality. China and Cuba are indeed underdeveloped nations that have achieved impressive rates of economic growth and a great improvement in social welfare for the mass of their populations over the course of the past several decades. However, their success is not primarily owing to an emphasis on agriculture. Rather, it stems from

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a socialist political philosophy that places enormous stress on egalitarian goals, and channels resources toward the bulk of the people. In short, social welfare considerations entail agricultural development rather than *vice versa*.

SYLVIA ANN HEWLETT
Barnard College, Columbia University

Social Change and Political Participation in Turkey *by Ergun Özbudun. Princeton, N.J., Princeton University Press, 1976.—xiii, 254 pp. $13.50.*

This is a very technical work, of interest primarily to political scientists familiar with the techniques employed by professionals in the field. What the author has done is to investigate voting patterns from 1950 to 1969, with special emphasis on political participation in the 1960s. He does not include the National Assembly elections of October 14, 1973 in his statistical analysis, since the draft of the book had been completed earlier, but he does discuss the implications of those elections in the conclusion of his book.

The forty-seven statistical tables presented in the book define the limits of the interpretation offered. Though the statistics are incomplete "... because of the nonexistence of pertinent nationwide survey data ..." (p. 18), there is no question nonetheless that the author, a professor of government at Ankara University, has made a real contribution by surveying the data available to him. The trends he observes in political participation during the 1960s were confirmed by the elections of 1973 and appear to hold for the upcoming 1977 elections.

The author provides a historical backdrop and then discusses regional variations in political participation and urban-rural differences. He focuses on the correlation between the process of modernization and political participation and comes up with some startling conclusions. He finds that in urban centers where the modernizing influences are supposedly greatest, there is less political participation, while in the less developed areas of Turkey, political participation is greater. Part of the explanation lies in the fact that urbanization in Turkey does not always imply modernization. Furthermore, in the less developed regions of Turkey, traditional forces are still at work, and in such regions political participation is often an expression of traditional interests. The author points out that his study does "... not support some of the predictions of the social mobilization theory with respect to political participation" (p. 217). For this reason, he feels that the Turkish experience may serve as a relevant model for what may be expected in other developing countries.

Although modernization has not produced all of the anticipated results, it has nonetheless had the effect of increasing political participation to some extent. More importantly, it has ended the traditional center-periphery cleavage that had characterized Turkish politics for centuries. In the past twenty to thirty years, a multiparty system has emerged following the 1950 elections based on functional cleavages. Turkey has not, however, reached the stage of voter alignments based on class cleavages,

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although tendencies in that direction are beginning to emerge. The author finds it instructive that Turkey has, in a relatively short period, experienced different types of political participation depending on the degree of modernization achieved in different regions of the country. The line of argument leading to this conclusion is not always clear in the text, and seems to lead to some internal contradictions. The problem may lie in the limited statistical evidence available to the author that forced him to rely on what he terms ". . . ecological analysis of subnational aggregate voting data" (p. 18). There appears to be some straining of the evidence that a more complete record might have obviated.

The sections on urban migration and the squatter settlements (*gecekondu*) are especially interesting as to their origins and internal structure. Also very interesting is the fact that despite the multiplicity of parties in Turkey, there are clear indications of the emergence of a two-party system with the Justice Party on the Right and the Republican People's Party now associated with the Left. The author believes that this tendency toward a two-party system increases with modernization.

Written under the auspices of the Center for International Affairs, Harvard University, the book is divided into eight chapters, a conclusion, two appendixes, an index, and a bibliography that lists a large number of works in Turkish. Its main merit lies in the assembling of available statistical evidence during a transitional period in Turkish history, but it does not fully succeed in clarifying the relationship between modernization and political participation.

HELEN RIVLIN
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International Arms Control: Issues and Agreements *edited by John H. Barton and Lawrence D. Weiler. Stanford, Stanford University Press, 1976.—ix, 444 pp. Cloth, $18.50; paper, $12.95.*

Fifteen years after the publication of Donald Brennan's *Arms Control, Disarmament, and National Security* and Seymour Melman's *Disarmament: Its Politics and Economics,* another collective effort by an impressive group of scholars and diplomats has been published which clarifies and brings up to date many of the contemporary issues of arms control. This volume, edited by John Barton and Lawrence Weiler, is explicitly designed to bring the subject of arms control into the college classroom in an intelligible and comprehensive way. In so doing, Barton and Weiler compressed a considerable amount of diplomatic history, strategic theory, technical data, and political analysis into a carefully structured and coherent volume. The appendixes include the texts of all the major arms control agreements from the Antarctic Treaty to the Helsinki Accords. The work draws upon numerous lectures and papers produced by the Stanford Arms Control Group and should serve as a major text on the subject for some time.

While there are separate chapters on strategic doctrine, weapons development,

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the economics of arms control and the pre-World War II attempts to limit arms, the major focus of the book is upon the post-1945 diplomatic effort to control nuclear weapons. We see how this process has evolved from the comprehensive disarmament proposals of the late 1940s and early '50s to the tedious efforts of SALT I and II to contain the arms race practically one weapon at a time. As this volume attests, both the participants in and the observers of the arms control process have come to expect much less of it. Whether such lowered expectations represent the beginning of wisdom or the decline of imagination is a problem the authors tentatively address in their final chapter. What stands out in their survey is that such an early proposal as the Acheson-Lilienthal plan was, if nothing else, an attempt to bring the appropriate political and diplomatic vision to bear on what was clearly a revolutionary development in military science. Since that period this science has continued to astound us with an almost unending series of such breakthroughs—the H-bomb, ballistic missiles, MIRV warheads and now cruise missiles. Yet as the scope and dimension of these breakthroughs expand, the vision of diplomacy shrinks.

We are left at the end of this work with a nagging question that this collective effort seems unable to answer: has the staggering advance of weapons technology so dominated diplomacy that the negotiating process is now an intrinsic part of the arms race it set out to control? The authors do indicate some skepticism over the liklihood of building a nuclear peace by limited steps. They point out that "the general tendency as with the 1922 Naval Accord, the Limited Test Ban and SALT I is to agree first on what is easy. The second step is usually disappointing" (p. 314).

Throughout the volume there is a growing recognition that the central difficulties of arms control are not technical, despite the weapons advances, but are profoundly political. This serves not to make the problem less complex but rather to make it more. We see, for example, in the chapters on nuclear proliferation and regional arms control the important interrelationship between Willy Brandt's *Ostpolitik* and the eventual conclusion of the Nonproliferation Treaty.

The success of the book demonstrates how much historical perspective and political insight can bring to a subject which has heretofore been dominated by technicians and specialists.

ROBERT J. BRESLER
Pennsylvania State University

The Anarchical Society: A Study of Order in World Politics, *by Hedley Bull. New York, Columbia University Press, 1977.—xv, 335 pp $20.00.*

The title of this lucid and valuable book by the Montagu Burton Professor of International Politics at Oxford seems at first a contradiction in terms. How can there be "order" in an "anarchical society"? But it is Hedley Bull's thesis that an element of sociability, first fully recognized in the writings of Grotius, does exist and has always existed in the system of independent yet interrelated states that in our day has expanded from its European crucible to cover the whole world—and this despite the continuing

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absence of formal organs of world government. Sociability has cooexisted, Bull argues, with elements of conflict, which Hobbes emphasized, and with forces of transnational solidarity, whose most notable exponent was Immanuel Kant. The first of *The Anarchical Society's* three parts establishes the nature of order in world politics.

The second part describes the institutions that help to keep order among nations, which include the balance of power, diplomacy and the influence of the most powerful members of the system. The author notes that war has a dual role; it is sometimes a means of enforcing order and sometimes a violation of it. He provides a useful discussion of the perennial questions of whether, or to what extent, international law resembles municipal law, and how it helps to maintain order. This section resembles an old-fashioned treatise in anthropology or sociology. It explores the origins and the workings of the various institutions of an unfamiliar society. Bull disavows kinship with the particular form of sociological inquiry called "structural-functionalism," which assesses each institution according to its contribution to the survival of the whole. Order is not the only property of international politics, he says, and it is not necessarily the most valuable either. But given his definition of order as "a pattern of human activity that sustains elementary, primary or universal goals of social life," it is difficult to imagine an international system being desirable by any standard in the absence of order of some sort.

The book's third section canvasses the alternatives to the present states system. It is an inventory, and on the whole a skeptical one, of the arguments that the system is wearing away, or that, regardless of how sturdy it is, it ought to be replaced by other forms of political organization. Bull is sympathetic to the charge that the states system is not perfectly just, but he sees no prospect that it will be supplanted by world government, or by overlapping and undercutting lines of political authority that he terms a "new medievalism," or that justice would triumph if it were.

The Anarchical Society is the product less of research than of reflection. It is "an attempt to deal with a large and complex subject simply by thinking it through." The author has succeeded in putting the ideas, concepts, theories and terms that are the common coin of international relations into—not surprisingly—a kind of order. And the result is an overview, distant but comprehensive, of international politics (marred only by annoying typographical errors that, it is to be hoped, Columbia University Press will correct in future editions) which can serve as a preface to the understanding of the pressing international questions of the day; relations between the United States and the Soviet Union, the potential spread of nuclear weapons to states that do not now possess them, the economic demands being made upon the affluent members of the international system by the poor, and the problem of managing the earth's resources and its environment. Bull has written that rarest of books: It is not the last, but the first word on its subject.

MICHAEL MANDELBAUM
Harvard University

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Mahatma Gandhi and His Apostles *by Ved Mehta. New York, The Viking Press, 1977.—xi, 260 pp. $14.95.*

Ved Mehta writes in a genre all his own. Blind since childhood, he has become extraordinarily sensitive to the spoken word, and to nuances in the human voices he hears. While "seeing" with his ears, he creates in his mind pictures of the people he is interviewing, and then paints these in a piquant, often ironic style that readers of *The New Yorker* (where this book first appeared in three parts in the spring of 1976) find both entertaining and informative.

Scholars of modern India, concerned far more with the accuracy of Mehta's reporting than with the quality of his engaging prose, will have greater difficulty appreciating his methods. I myself was jarred by some ninety-six statements in this book that seemed to be errors, and about forty more that seemed questionable. Mehta is least convincing when he relies on a single quotation from another writer of Indian descent domiciled in the English-speaking West, to persuade us that he is correctly generalizing about tens of millions of people. "Age-hardened ignorance has not yielded at all" to Gandhi's efforts to improve the lot of India's untouchables, he declares (p. 250) after quoting from V. S. Naipaul's *An Area of Darkness*. Would Jagjivan Ram, now Home Minister in a new government his community helped bring into power, agree? The book has no footnotes, making it impossible to know if evidence exists for many other dubious statements, such as the incredible assertion that "Gandhi didn't like his father's praying, or his mother's fasting and temple-going . . ." (p. 70).

Large parts of *Mahatma Gandhi and His Apostles* are nevertheless believable, especially the second and longest of its three sections, where Gandhi's long and active life is flowingly summarized. Even so, minor errors mar many of these pages. Mehta's account of his visits to the two co-workers of Gandhi's I have kept in touch with since 1948 create in me contrasting impressions of his fidelity to their realities. The way he retells his conversation with the late (and great) Nirmal Kumar Bose strikes me as fair and trustworthy. But his condensation into one interview of his many talks with Pyarelal, Gandhi's last chief secretary, astounds me by its disparaging tone and accompanying distortions.

Consider the curious sentence Mehta has Pyarelal speak concerning Gandhi's views on the creation of a Jewish state in what was then Palestine: "I am able to suppress them [Gandhi's views] from history, since by God's grace I am the only one who knows about them" (p. 42). Despite repeated letters from Pyarelal that this statement in the *New Yorker* article was false, Mehta refused to correct it in his book. Out of Pyarelal's fifteen other objections to the report of their talks, Mehta accepted only one, a trivial misspelling. Pyrarelal has sent to me and other scholars of Gandhi copies of his corrections of Mehta's text, and I am depositing my copy in the Special Collections Department of the UCSB Library. Scholars wishing to obtain xerox copies may do so by writing Mr. Christian Brun, the head of that department, who hopes to acquire copies of the tape recordings made by Ved Mehta in the course of his interviews with the twenty-four associates of Gandhi's he quotes in his book. When all these materials can be compared, the truth should become clear. In the meantime,

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what Ved Mehta writes about Pyarelal, and has him say, should not be regarded as authentic.

What troubles me most about this book is its author's cavalier treatment of so many of the persons he portrays and purports to quote. Entertaining, as Herblock's cartoons are entertaining, these vignettes can also be cruel misrepresentations. Ved Mehta's *New Yorker* articles keep us aware that the people of India are there, alive, and immensely interesting, and for this we must be grateful. But it would be sad indeed if we, in our ignorance of India, were to believe that writing of this genre, where fact and fiction are so closely interwoven as to be indistinguishable, faithfully records what persons in that country are actually doing, saying, thinking, and feeling. To end on a happier note, I recommened to anyone genuinely interested in Gandhi and his co-workers the excellent, annotated *Mohandas Karamchand Gandhi: A Bibliography*, compiled by the Indian Council of Social Science Research and published in 1974 by Orient Longman, New Delhi.

STEPHEN HAY*
University of California, Santa Barbara

*In the Correspondence section, Mr. Mehta responds to Professor Hay's review. Ed.

Utopia and Revolution: On the Origins of a Metaphor, or Some Illustrations of the Problem of Political Temperament and Intellectual Climate and How Ideas, Ideals, and Ideologies Have Been Historically Related *by Melvin J. Lasky. Chicago, University of Chicago Press, 1976.—xiii. 726 pp. $35.00.*

Utopia and Revolution is an ambitious study, conceived in the spirit of Arthur O. Lovejoy's *The Great Chain of Being*, of the importance of the Judeo-Christian prophetic-apocalyptic vision to the development of the language of radical politics in the West. In fact, Melvin J. Lasky has given us two books. One is essentially a collection of short essays, which grew out of a series of lectures that Lasky delivered at the University of Chicago in 1965, on the literary history of the image of the perfect political constitution and of the way to its establishment out of or over against the corruption of the present. Here Lasky traces the idea of revolution "from astronomy to sociology," that of utopia "from theology to politics" (p. 419). Along the way he covers as diverse a set of contributors to this development as Dante, Thomas More, Copernicus, Bruno, Winstanley, Kant, and Bakunin, among others. The modern European temperament is "inconceivable without this special political vocabulary of enchanted volubility" (p. 221). The creators of this enchantment have been of two types. Those of the school of Thomas More have been imaginative prophets, concerned with the specific shape and content of the ideal and with action reasonably directed toward the gradual achievement of new institutions and a new society.

But they have been betrayed by those other utopians (Marx, for instance), who, in their speculative poverty and abject refusal to dream, have pursued a secret millennium. Bitterness about this betrayal lies behind Lasky's other book. The intellectuals' realization in the 1930s that there had been a failure of vision in the Soviet

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Union was a "disenthrallment too deep and devastating for any simple adjustment. . . . A whole generation in the West went into grief over a lost metaphor" (p. 155). Lasky finds himself in John Dryden: "If in its essential political reading his systematic indifferences to large human hopes seems cynical, philosophically it was part of an achieved Stoicism. . . . His slow self-liberation emancipated him from even the most workaday political expectations" (p. 445).

Lasky's work is a grand tour, but not particularly technical. The historian disappears behind the intellectual weary of politics. Lasky is unwilling to differentiate between varieties of paradigmatic political language; instead, he finds in the visions and moods of the Renaissance Platonists, the Protestant sectarian apocalypticists, the republican ideologues of *Fortuna* and return to first principles, and the twentieth-century Marxists only "an important element of literary constancy, an almost static psychological component" (p. 511). For Lasky, revolutionary consciousness is merely revolutionary sensibility. The weakness of Lasky's entire endeavor lies in his inability to come to grips with the problem of the relation of political language to a material world. It is particularly important that he face this issue, since there is no question but that Lasky's constant literary metaphor is another's analytic category and still another's mode of political action. But the world is radically dualistic: "If the essential difficulty of political discourse is its intellectual tendency to confound poetical metaphors with prosaic realities, then we must be equally wary not to confuse the analysis of even the most eventful ideological outbursts (and all the other 'pregnant images') with the basic historical happenings themselves" (p. 443). Lasky's disappointment and frustration are simply too great.

MARTHA K. ZEBROWSKI
Columbia University

Correction: Due to a printer's error, a line was inadvertently dropped from David L. Paletz's Summer *PSQ* review of Louis Maisel's *Changing Campaign Techniques*. The paragraph should have read:

Both articles are more polemical than analytical. One of the few direct clashes exemplifies the level of discourse. Bellush and Boyd argue that one effect of the public financing proposals is to make many Republicans contribute funds to Democratic candidates (p. 59). Fleishman's riposte is that the "logic rests on a misconception. While the value of Republican taxes paid may be a higher proportion of net tax proceeds . . . the *number* of Democratic taxpayers . . . is much higher . . . and since the check-off funds are evenly divided between Republican and Democratic candidates, in fact more Democrats will be supporting Republican candidates [*sic*$_3$ than vice versa" (p. 37). This is reverse corroboration, not refutation.

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Correspondence

To the Editor:

Mr. Hay appears (supra p. 576) to be puzzled by how my description of one Gandhi co-worker, Nirmal Kumar Bose, could be "fair and trustworthy," but my description of another Gandhi co-worker, Pyarelal, could be distorted, and Mr. Hay takes up the cudgels for his friend, claiming, "Out of Pyarelal's fifteen . . . objections to the report of their talks, Mehta accepted only one, a trivial misspelling." This statement is incorrect; I accepted five of Pyarelal's objections, and dismissed the rest, because they seemed to be not so much matters of fact and truth as Pyarelal's opinions and second thoughts. Mr. Hay thinks that there may be ninety-six errors in my book, but he does not give a single example. Mr. Hay thinks that forty statements in the book may be questionable, but he gives only three examples, which themselves, however, are questionable. One example concerns Jagjivan Ram, whom Mr. Hay mistakenly identifies as the present Home Minister (he is actually Defense Minister), but Jagjivan Ram has been in the Cabinet since independence, and his personal position, however lofty, has no more bearing on the lot of the Untouchables as a whole than Mrs. Gandhi's position as Prime Minister had on the lot of Indian women, or, for that matter, the position of Edward Brooke as United States Senator has on the lot of American blacks. Mr. Hay's second example concerns my assertion that Gandhi did not like his father's praying or his mother's fasting and temple-going. Even if Mr. Hay is unaware of a large body of evidence for my assertion, he surely must be acquainted with Gandhi's autobiography, in which Gandhi is at pains to tell us how as a child he was godless and delinquent. (He ate meat, smoked cigarettes, and even went to a prostitute, all taboo in his caste and his home.) Mr. Hay's third example concerns Pyarelal's statement that he was suppressing Gandhi's views on the creation of a Jewish state. Of course, Pyarelal would now want to deny that statement, but I don't see why Mr. Hay should be interested in expunging it from the record.

VED MEHTA
New York City

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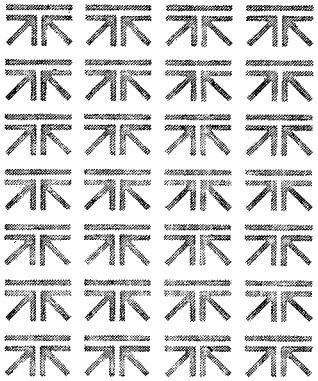

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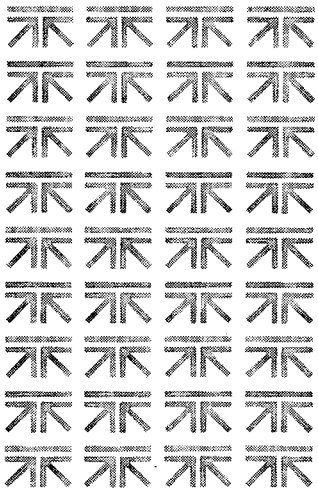

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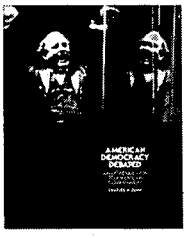

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